

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – THIRTY-THIRD MEETING

THURSDAY, MARCH 4, 2021
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Eighteenth Proclamation issued by Governor David Ige on February 12, 2021, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting. *The procedures have been modified to comply with Mayor Blangiardi's Emergency Order No. 2021-02, effective February 25, 2021 (Emergency Order). In accordance with concern for public health and safety, in-person testimony in the hearings room has been cancelled until further notice. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.*

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

No members of the public will be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard by internet live streaming through <https://zoom.us/j/99137694590>; by dialing 1-408-638-0968, entering the meeting ID#: 991 3769 4590#; or, the preferred method, via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>. You may pre-register to attend this meeting.

All Commissioners will be participating in the meeting by interactive conference technology from remote locations.

To provide the public with the best opportunity to observe the meeting, it is required to "mute" your device's microphone to prevent technological difficulties.

All persons who are required to appear for the meeting must make your appearance by joining the meeting on the Zoom platform as described above. Please be aware that joining the meeting will involve entering the meeting number and completing a registration process so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Zoom platform, an equipment and internet access station will be available for use in Suite 111. While in Suite 111, all Social Distancing Requirements set forth in the Proclamation and the Emergency Order must be strictly observed.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission subject to the following restrictions:

1. *All oral testimony must be submitted remotely through the Zoom platform.*
2. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

PUBLIC HEARINGS:

1. Trans. Appl. No. 21-22114 from West Side Assoc LLC, dba West Side Bar & Grill Kapolei
For the transfer of the business and Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing) of Plantation Tavern LLC, dba Plantation Tavern, 590 Farrington Highway, #A-2, Kapolei, and for a change of trade name to West Side Bar & Grill Kapolei (R1055) (Prelim. Hrg. 2/11/21)
2. Appl. No. 20-21461 from Masao Properties Incorporated, dba Beer Lab HI, 4210 Waialae Avenue
For a Small Craft Producer Pub license (Category No. 2 - Live entertainment or Recorded Music and Dancing) (Prelim. Hrg. 10/29/20)

(Continued from 2/4/21; public hearing kept open)

[History: 12/17/20, 1/7/21, 1/21/21, 2/4/21]
3. Appl. No. 21-22196 from Alejandro's Mexican Food LLC, dba Alejandro's Mexican Food, 949 Kapahulu Avenue
For a Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing) (Prelim. Hrg. 1/7/21)
4. Appl. No. 21-22542 from Koolaupoko Partners LLC, dba Heeia Pier-The General Store, 46-499 Kamehameha Highway, Kaneohe (Heeia Kea Small Boat Harbor)
For a Retail General license (Prelim. Hrg. 1/7/21)

PRELIMINARY HEARINGS:

- | | |
|--|--|
| 5. Trans. Appl. No. 20-21487 from Sushi King LLC, dba Sushi King LLC | For the transfer of the business and Restaurant General license (Category No. 1 – Standard Bar) of Shu-Lee F. Kondo, dba Sushi King, 2700 South King Street, and for a change of trade name to Sushi King LLC (R0131) |
| 6. Trans. Appl. No. 21-22715 from Pho Vietnam Inc., dba Pho Vietnam Inc. | For the transfer of the business and Restaurant General license (Category No. 1 – Standard Bar) of DS Restaurant Group LLC, dba Charm 3, 52 North Hotel Street, Suites 113/114, and for a change of trade name to Pho Vietnam Inc. (R1160)

(License currently in safekeeping) |
| 7. Appl. No. 21-21997 from Chinatown Coven LLC, dba Proof Social Club, 1154 Fort Street Mall, Suite 10 | For a Dispenser General license (Category No. 3 – Live Entertainment or Recorded Music and Dancing) |
| 8. Appl. No. 21-22149 from Wayward Somm LLC, dba The Sommelier's Box, 841 Bishop Street, Unit 121 | For a Retail General license |

REQUESTS:

- | | |
|---|--|
| 9. Request No. 21-22838 from Murphy's Inc., dba Murphy's Bar & Grill, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 2 Merchant Street (R0887) | Requesting approval to temporarily increase its licensed premises from Monday, March 15, 2021 through Tuesday, November 30, 2021, from 6:00 a.m. to 11:59 p.m. (daily) |
|---|--|

REQUESTS: (CONT.)

- | | |
|--|--|
| 10. Request No. 21-22854 from Ferguson's Irish Pub LLC, dba Ferguson's Irish Pub, Dispenser General license (Category No. 1 – Standard Bar) 729 Bishop Street (E0120) | Requesting approval to temporarily increase its licensed premises from Monday, March 15, 2021 through Monday, March 14, 2022, from 11:00 a.m. to 12:00 a.m. (midnight) (daily) |
| 11. Request No. 21-22856 from PJ Honolulu, LLC, dba Tonkatsu Ginza Bairin, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 255 Beachwalk, Unit 1 (R0832) | Requesting approval to temporarily increase its licensed premises from Thursday, March 4, 2021 through Saturday, July 31, 2021, from 11:00 a.m. to 10:00 p.m. (daily) |
| 12. Request No. 21-22861 from Windward Grill, Inc., dba Kailua Town Pub and Grill, Dispenser General license (Category No. 3 – Live Entertainment or Recorded Music and Dancing), 26 Hoolai Street, Kailua (E1497) | Requesting approval to temporarily increase its licensed premises on Wednesday, March 17, 2021, from 4:00 p.m. to 10:00 p.m.

(St. Patrick's Day Event) |

ADOPTION OF DECISION AND ORDER:

- | | |
|---|------------------------------------|
| 13. Chicken Factory (LCV 19-0410) (R1171) | For adoption of Decision and Order |
| 14. Chicken Factory (LCV 20-0303) (R1171) | do. |
| 15. TJ's Sports Bar & Grill (LCV 20-0268) (R0612) | do. |

ADJUDICATION HEARINGS:

16. Kailua Town Pub and Grill
(LCV 20-0263)
(E1497)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-29 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 31, 2020)

17. Takumi
(LCV 20-0270)
(R1142)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-29 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about November 18, 2020)

(Continued from February 11, 2021)

18. The Bayview Bar Bistro
Banquet Hall
(LCV 20-0315)
(E1594)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about December 17, 2020)

ADJUDICATION HEARINGS: (CONT.)

19. Hawaii Kai Golf Course
(LCV 21-0048)
(E0552)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about December 15, 2020)

20. Pot Pot Shabu Ramen
& BBQ House
(LCV 20-0253)
(R0713)

- (1) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violation of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 9, 2020)
- (2) Licensee used a trade name without the prior approval of the Commission (Violation of Rule 3-81-17.59) (Date of violation: On or about October 22, 2020)
- (3) Licensee failed to have a duly registered manager or assistant manager in active charge of the licensed premises (Violation of Rule 3-82-38.9(a)) (Date of violation: On or about October 22, 2020)

ADJUDICATION HEARINGS: (CONT.)

Pot Pot Shabu Ramen
& BBQ House
(LCV 20-0253)
(R0713)
(Cont.)

(4) Licensee failed to conspicuously post and expose to view, convenient for inspection, its license on the licensed premises (Violation of Section 281-71, HRS) (Date of violation: On or about October 22, 2020)

(Continued from February 4, 2021)

21. Lucky Honu
(LCV 20-0014)
(E0694)

Licensee permitted liquor of any kind, while in bottle, glass or other container, to be open and readily consumable within licensed premises before or after the hours established by the Commission (Violation of Rule 3-82-38.20(b)) (Date of violation: On or about January 9, 2020)

22. Lucky Honu
(LCV 20-0246)
(E0694)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 11, 2020)

ADJUDICATION HEARINGS: (CONT.)

23. Lucky Honu
(LCV 20-0264)
(E0694)
- (1) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-29 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about November 7, 2020)
- (2) Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about November 7, 2020)
24. Club 939
(LCV 19-0347)
(E0270)
- Licensee encouraged and/or permitted a person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitalia of herself or any other person, either directly or through the clothing or any other material (Violation of Rule 3-84-78.042) (Date of violation: On or about October 6, 2019)
25. Club 939
(LCV 19-0389)
(E0270)
- (1) Licensee permitted and/or allowed employee(s) and/or customer(s) to engage in "lap dancing" within the licensed premises (Violation of Rule 3-82-47.1(c)) (Date of Violation: On or about October 6, 2019)

ADJUDICATION HEARINGS: (CONT.)

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|---|--|
| Club 939
(LCV 19-0389)
(E0270)
(Cont.) | (2) Licensee's employee, who was not employed as an exotic dancer, was unclothed or in such attire, costume or clothing as to expose to view any portion of the pubic hair, anus, cleft of the buttocks, genitalia, or any portion of the female breast below the top of the areola (Violation of Rule 3-84-78.02(a)) (Date of violation: On or about October 6, 2019) |
| 26. Club 939
(LCV 20-0096)
(E0270) | (1) Licensee employed a person in that section of the licensed premises where liquor is sold, served or consumed without said employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about February 9, 2020) |
| | (2) Licensee permitted an employee to perform as a dancer in that section of the licensed premises where liquor is sold, served or consumed without said dancer being at least twenty-one (21) years of age (Violation of Rule 3-82-38.6(b)) (Date of violation: On or about February 9, 2020) |
| | (3) Licensee failed to make time record entries at the time its employee reported on duty and again when the employee went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about February 9, 2020) |

ADJUDICATION HEARINGS: (CONT.)

- | | |
|---|---|
| Club 939
(LCV 20-0096)
(E0270)
(Cont.) | (4) Licensee failed to make time record entries at the time its employees reported on duty and/or when the employees went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about February 11, 2020) |
| 27. Club 939
(LCV 20-0251)
(E0270) | (5) Licensee allowed the obstruction, hampering, or interfering with investigations or Commission operations in any way (Violation of Rule 3-84-79.1) (Date of violation: On or about February 20, 2020) |
| | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 14, 2020) |

ADJUDICATION HEARINGS: (CONT.)

28. Kingyo Karaoke Lounge
(LCV 20-0240)
(E0561)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 10, 2020)

(Continued from January 14, 2021)

OTHER BUSINESS:

29. Liquor Administrator

Legislative update

30. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.

LICENSING INVESTIGATIVE REPORT

Date: February 1, 2021

Subject: Transfer Application No. 21-22114 from West Side Assoc LLC dba West Side Bar & Grill Kapolei, for the transfer of Restaurant General/ Category 2 Music/ Dancing License of Plantation Tavern LLC dba Plantation Tavern at 590 Farrington Hwy, #A-2, Kapolei, HI 96707, and for the change of trade name to "West Side Bar & Grill Kapolei" (R1055)

COMPANY STRUCTURE:

West Side Assoc LLC: was organized under the laws of the State of Hawaii on July 13, 2020, as a Member-managed Limited Liability Company. The Sole member is:

	<u>Title</u>	<u>Percent</u>
<u>Pate, Eunice Lehua (aka Lehua Pate)</u>	<u>MBR</u>	<u>100%</u>
		100%

See Exhibit A for Personal History Affidavit.

FINGERPRINTS:

Eunice Lehua Pate was fingerprinted on February 26, 2020. HCJDC/ FBI results and CJIS computer checks show negative felony convictions.

FINANCIAL STATEMENT FOR WEST SIDE ASSOC LLC, AS OF JULY 27, 2020:

Applicant submitted a Financial Statement to the Commission and certified by the applicant to be substantially correct, as of July 27, 2020.

TEMPORARY APPLICATION FILED:

Temporary liquor license, application 21-22113, was granted by the Commission on August 13, 2020, and made effective on August 14, 2020.

TRADE NAME:

The applicant has filed with the State of Hawaii Department of Commerce and Consumer Affairs, Form T-1, Application for Registration of Trade Name. The name "West Side Bar & Grill Kapolei" is registered to the applicant from July 24, 2020 till July 23, 2025.

CONSIDERATION:

Bill of Sale: According to a document titled "Bill of Sale", dated and made effective on July 9, 2020, Plantation Tavern LLC, (Seller), grant, sell, transfer and deliver to Lehua Pate (Buyer). Buyers is paying Seller \$150,000.00 (Sale Price). Per Gota this Bill of Sale has been executed.

Rider to Bill of Sale: Between Seller and Buyer states the following:

1. Closing and transfer of ownership and operation of business related to the liquor license associated with the premises...will occur on the later of (a) **July 9, 2020** or (b) **approval receipt of final approval by Honolulu Liquor Commission (HLC).**
2. In the event HLC **refuses to approve** the transfer of the liquor license, then the transfer of ownership of liquor license shall be null and void and returned to seller. Any and all payments made addressed in original bill of sale regarding the value stated on the liquor license...shall be returned to the payor.

LICENSE IN EFFECT FOR MORE THAN ONE YEAR:

Liquor Commission records reveal that the Restaurant General license has been in effect since August 26, 2013.

DESCRIPTION OF THE PREMISES:

Location: The licensed premises is located on 590 Farrington Hwy #A-2, Kapolei, HI 96707. Previous location of Plantation Tavern LLC dba Plantation Tavern.

The licensed premises is "L" shaped. The indoor portion of the licensed premises is approximately 49 feet by 31 feet.

DESCRIPTION OF THE PREMISES CONTINUED:

The front outdoor seating area is approximately 11 feet by 31 feet, and the rear outdoor seating area is approximately 71 feet by 11 feet. The total square footage of the premises is approximately 2,641 square feet.

Applicant will install planters to delineate the licensed premises from the general public.

Parking for customers are located in a common area of the shopping center fronting the proposed licensed premises.

See **Exhibit B**, Floor plan.

BACKGROUND:

On July 17, 2013, Le Nonne Inc. dba Le Nonne Hawaii applied for Restaurant General Liquor License.

On August 26, 2013, Liquor license **R1055** became "Active".

On July 23, 2014, Plantation Tavern LLC dba Plantation Tavern applies for Temporary Liquor license.

On August 28, 2014, a Services Agreement between Le Nonne Inc. dba and Plantation Tavern, LLC.

On January 8, 2015, transfer of Liquor License from Le Nonne Inc. to Plantation Tavern LLC, granted by the Commission.

On May 7, 2015, Liquor license **R1055** becomes "Active" under Plantation Tavern LLC.

REASON FOR TRANSFER:

According to the Authorized Agent Neal Gota, the prior licensee closed and transferred assets to applicant and applicant took over the space.

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE:

Kind of business:

1. Restaurant will be serving local food
2. Applicant currently has 9 full time employees.
 - a. 3 will serve as manager.
3. Hours of Operation:
 - a. Sunday – Thursday 11:00am to 10:00pm
 - b. Friday – Saturday 11:00am to 12:00am (Midnight)
4. According to the Applicant liquor will supplement restaurant food. Applicant estimates that food sales will make up approximately 70% of restaurant gross sales.
5. Applicant will be providing live entertainment, Hawaiian type music, and dancing for customers approximately 2-3 times a month.

See **Exhibit C-1 and C-2**, Business Plan and restaurant menu.

Shopping Center Lease: Between Kapolei Market Place, LLC and Kapolei-57, LLC (Collectively, “Landlord”) and West Side Assoc LLC (Tenant). Term of this lease is from August 1, 2020 until July 31, 2025.

According to this lease the permitted use of the premises shall be for a restaurant.

OTHER LIQUOR LICENSE INTERESTS:

Oahu Grill Assoc. LLC dba Oahu Grill (R1408)
1137 11th Ave., Suite #104 Honolulu, HI 96816
Effective 6/18/2020 (Active)
Pate, Eunice Lehua (Member)

PENDING OR HISTORY OF VIOLATIONS:

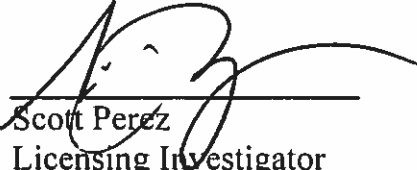
According to LCIS (Liquor Commission Information System) there are **no** pending citations against Oahu Grill Assoc. LLC dba Oahu Grill (R1408).

ZONING CLEARANCE:

A valid Department of Planning and Permitting zoning clearance dated July 27, 2020, has been received.

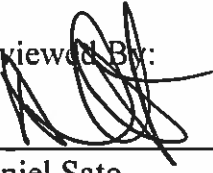
OPINION:

In my opinion, the applicant has met statutory requirements.

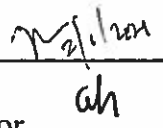


Scott Perez
Licensing Investigator

Reviewed By:



Daniel Sato,
Supervising Investigator


7/27/20
ah

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME PATE EUNICE LEHUA N/A SOCIAL SECURITY NO. _____
Last, First, Middle, Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
CITY _____ STATE _____ ZIP CODE _____ BUS. (808) 762-0130
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State, (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1986 NAME OF SCHOOL ST. ANDREWS PRIORY, HONOLULU, HAWAII
(include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 6 YEAR COMPLETED 1991 NAME OF COLLEGE UNIVERSITY OF HAWAII, HONOLULU, HI
(include City and State)
OTHER EDUCATION MASTERS DEGREE (2002) - UNIVERSITY OF HAWAII

CITIZENSHIP* USA DATE ARRIVED IN HAWAII (if applicable) N/A
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
12/1991	5/1993	Accountant	Molokai General Hospital	Molokai, Hawaii
6/1/1993	7/31/1998	CFO	Molokai General Hospital	Molokai, Hawaii
8/1/1998	4/14/2014	Dir. of Revenue Mgmt & Strategic Fin. Planning	The Queen's Health Systems	Honolulu, HI
4/14/2014	Present	Corp. Revenue Cycle Director	The Queen's Health System	Honolulu, HI

(If additional space is needed, please use reverse side)

NOTARY INITIAL: dsn

List your experience in the liquor industry: Managed the bar at Pau Hana Inn on Molokai from 1996 to 1998; worked as a cocktail server during college from 1987 to 1991

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2020 JUL 28 P 2:49

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☐ Full time, or ☒ Part-time?

I, EUNICE LEHUA PATE, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Eunice Lehua Pate
Signature



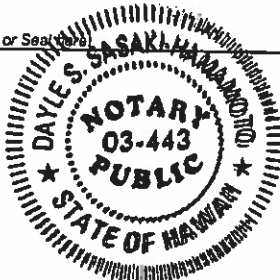
FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu } SS.

On this 27th day of July, in the year of 2020, personally appeared Eunice Lehua Pate who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Eunice Lehua Pate
Signature of applicant(s) before Notary
Subscribed and sworn to before me this:
27th day of July, 2020
Dayle S. Sasaki-Hamamoto
Signature of Notary
DAYLE S. SASAKI-HAMAMOTO
Notary Public, State of Hawaii
My commission expires August 3, 2023

NOTARY CERTIFICATION
Date of Doc: undated # of Pages: 2
Notary Name: Dayle S. Sasaki-Hamamoto 1st Circuit
Doc. Description: Personal History And Affidavit
Dayle S. Sasaki-Hamamoto
Notary Signature
JUL 27 2020
Date





EXISTING FLOOR PLAN
SCALE 1/4" = 1'-0"



RESULTS
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 1992-1993
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**PROPOSED TENANT IMPROVEMENT
FOR PLANTATION TOWER:
MARKET PLACE AT KAPOLEI BLDG**

2ND FLOOR, 10000 HWY 101, SUITE 200
SPRINGFIELD, MA 01104
TAX MAP KEY:
B-100-010

Condition 57%	WAF
Condition 57%	FLC

FILE DATE:	4-7-61
REPORT OF INVESTIGATION	

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EXISTING ROOM PLAN

APR 1 1961

TOO

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2020 JUL 28 P 2:49

Business Plan WEST SIDE ASSOC LLC

CONCEPT:

West Side Assoc LLC will operate a full service sit down restaurant in Kapolei, Hawaii serving local food.

SALES

West Side Assoc LLC will operate as a full service restaurant and the selling of liquor will only supplement its restaurant food menu. It is estimated that food sales will make up approximately 70 percent of gross sales of the restaurant. Therefore, it is anticipated that West Side Assoc LLC will have no trouble meeting the 30% food sales requirement to obtain a restaurant liquor license.

SAMPLE MENU

(See attached)

ENTREES

*All entrees served with 2 scoops of rice and a choice of house salad, potato crab salad or cole slaw.
Add \$3 for upgrade to fried rice.*

BEEF

Smoked Brisket

Steak

Pipikaula

Hamburger Steak

PORK

Grilled Pork Chops

Smoked Meat

Crispy Pork Belly

Teri Pork Belly

CHICKEN

Grilled Chicken

Deep-Fried Chicken

Smoked Chicken

SEAFOOD

Grilled Mahimahi

Garlic Shrimp

*** Consuming raw or undercooked meats, poultry, seafood or eggs
may increase your risk for foodborne illness, especially if you have certain medical conditions. ***

SANDWICHES

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*All sandwiches served with a choice of fries, house salad, potato crab salad or cole slaw.
Add \$2 for upgrade to seasoned fries or garlic fries.
Add \$1 for American cheese.*

Hamburger

Chicken Burger

Black Bean Burger

Grilled Mahimahi

Plantation Hot Dog

SALADS

House Salad

Cobb Salad

SIDES

French Fries

Plantation Seasoned Fries

Garlic Fries

Steamed White Rice

Plantation Fried Rice

Plantation Rice Rolls (6 pc)

Potato Crab Salad

Plantation Cole Slaw

Ho'i'o Salad

*** Consuming raw or undercooked meats, poultry, seafood or eggs
may increase your risk for foodborne illness, especially if you have certain medical conditions. ***

Continued from

Continued from

JAN 21 2021 to FEB -4 2021

FEB -4 2021 to MAR 4 2021

SUPPLEMENTAL LICENSING INVESTIGATIVE REPORT

Date: January 20, 2021

SUBJECT: New Application No. 20-21461 from Masao Properties Incorporated dba Beer Lab HI for a (Small Craft Producer Pub Category 2: Music/Dancing) at 4210 Waialae Ave. Honolulu, HI 96816

FOLLOW UP:

At the Public Hearing on January 7, 2021, Nicholas Wong, President of Masao Properties Inc., stated that he made contact with the Property Manager who informed him that Foodland will use their internal bathroom for customers which would reduce capacity of people using the Common Area restroom.

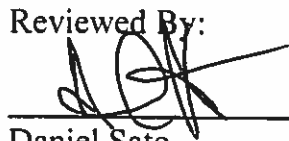
On January 20, 2021, I spoke with Adonis Rabago, Assistant Store Manager of Kahala MKT. By Foodland (D1289). Rabago informed me that their customers are currently utilizing the Common Area restrooms provided by the shopping mall, and that restrooms located within the store are for employees only. Also there are no plans to install additional restrooms within the store.

I also spoke with Robert Ueoka, authorized agent for Foodland Supermarket, Limited, who informed me that the internal restroom of Kahala MKT by Foodland (D1289) are for employees only, customers will use the Common Area restrooms, and there are no plans to install additional restrooms within the store.



Scott Perez
Licensing Investigator

Reviewed By:



Daniel Sato,
Supervising Investigator

an

JAN 7 2021 to JAN 21 2021

LICENSING INVESTIGATIVE REPORT

DATE: October 21, 2020

SUBJECT: New Application No. 20-21461 from Masao Properties Incorporated dba Beer Lab HI for a (Small Craft Producer Pub Category 2: Music/ Dancing) at 4210 Waialae Ave. Honolulu, HI 96816

CORPORATION STRUCTURE:

Masao Properties Incorporated: was formed under the laws of the State of Hawaii on May 24, 2012 as a corporation. 1,000 shares are authorized to be issued of which 400 shares are outstanding. The Officers/ Directors/ Shareholders are:

	<u>Title</u>	<u>Paid Shares</u>	<u>Ownership</u>
Nicolas Wong	P/D	204	51%
Derek Taguchi	CFO	98	24.5%
Kevin Teruya	COO	98	24.5%
		400	100%

See **Exhibit A1 – A3** for Personal History Affidavits of all principals. CJIS computer checks were negative for any felonies.

FINGERPRINTS:

Wong was fingerprinted on July 23, 2020, Taguchi was fingerprinted on July 24, 2020, and Teruya was fingerprinted on July 28, 2020. HCJDC results are negative for felony convictions on all principals.

FINANCIAL STATEMENT OF MASAO PROPERTIES INCORPORATED, AS OF NOVEMBER 30, 2019:

Applicant submitted a Financial Statement dated February 24, 2020, and corporate bank account statement was received by the Commission February 24, 2020, and was certified by the applicant to be substantially covered.

COST AND FINANCING:

According to the applicant they intend to self-finance the business.

TRADE NAME:

The applicant has filed with the State of Hawaii Department of Commerce and Consumer Affairs, Form T-1, Application for Registration of Trade Name. The name "Beer Lab HI" is registered to the applicant from December 30, 2019 till December 29, 2024.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed licensed premises is located at 4210 Waialae Ave. Honolulu, HI 96816

- The indoor area is approximately 650 square feet and the outdoor area is approximately 1,821 square feet. Total approximately area is 2,471 square feet.
- Capacity of premises is 27 internal of the premises and 75 outdoor
 - Per Applicant will utilize signage and lines on the ground to delineate licensed area
- Applicant will utilize community restrooms provided by shopping center. The restrooms are located approximately 50 feet from the premises outside
- Parking is provided by landlord in the common use areas
- Kombucha will be brewed in the area of the premises identified as "Storage"
- Applicant applied for Category 2; Entertainment. Applicant will have live entertainment to play live acoustic singing with 1-3 people singing with music amplifier. There will be no dancing.

See **Exhibit B** for floor plan.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Wesley United Methodist Church
1350 Hunakai Street Honolulu, HI 96816
Approximately 407 feet from the proposed premises

SAME CLASS OF LICENSE WITHIN 500 FEET:

No other licensed premises of the same class within 500 feet of the proposed premises.

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of October 21, 2020, there are 4 Small Craft Producer Pub licenses issued within the City and County of Honolulu, of which 4 licenses are General/ kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of Business:

- Beer tasting room, taproom bar, and manufacture of fermented beverages, for the sale of items on menu, including the sale of beer sold for off-premises consumption.
- According to the applicant they intend to produce small batches of alcoholic kombucha
- Hours of Operation:
 - 1:00 pm – 10:00 pm Sunday thru Thursday
 - 1:00 pm – 12:00 am Friday and Saturday
- Expected staffing plan will include 1 manager, 4 supervisors and 5-6 bartenders
- Per Applicant there will be **no** dancing on the premises
- Applicant applied for Category 2; Entertainment. Applicant will have live entertainment to play live acoustic singing with 1-3 people singing with music amplifier.
 - According to the applicant live music will be played in the outdoor area of the proposed premises.

KOMBUCHA:

As defined by Alcohol and Tobacco Tax and Trade Bureau (TTB): “refers to a fermented beverage produced from a mixture of steeped tea and sugar, combined with a culture of yeast strains and bacteria. Some kombucha products also have fruit juice or other flavors added during production. The combination of sugar and yeast triggers fermentation, which may produce a kombucha with an alcoholic content of 0.5% or more alcohol by volume. When this happens, the kombucha is regulated as an alcoholic beverage under federal and TTB regulations.”

Lease:

Commercial Space Lease between Trustees of the Estate of Bernice Pauahi Bishop (Landlord) and Masao Properties Incorporated dba "Beer Lab HI" (Tenant) executed and effective as of January 17, 2020.

Term:

The Term of this lease will commence on January 1, 2020 (Anticipated commencement date) and will end on the last day of the 59th full calendar month following the commencement date.

NOISE IMPACT EVALUATION:

Due to the proposed premises not completed the Noise Impact Evaluation will be conducted on a later date.

However, according to the applicant live entertainment will be held in the outdoor area of the proposed licensed premises. With no physical barriers erected or any indication of any type of noise suppression to be installed, the rating of the noise impact evaluation would be **poor**.

OTHER LIQUOR LICENSE INTERESTS:

Masao Properties Incorporated dba Beer Lab HI (B0010) at 1010 University Ave. Honolulu, HI 96826. Effective January 22, 2016 to present.

Masao Properties Incorporated dba Beer Lab HI (B0016) at 98-1005 Moanalua Rd #231 Aiea, HI 96701. Effective October 29, 2018 to present.

BLH Brewing LLC dba Beer Lab HI (B0015) at 94-515 Ukee St #309-310 Waipahu, HI 96797. Effective August 15, 2018 to present.

POSSIBLE ISSUES:

There may be "Tied House" arrangement under federal regulation due to an "affiliate" of Masao Properties Incorporated (i.e. BLH Brewing LLC)

Masao Properties Incorporated (MPI) is applying for a class 18 Small Craft Producer Pub License. MPI is a Member/ Manager of BLH Brewing LLC (BLH) and holds 95% membership interest in BLH.

BLH currently manufactures beer at 94-515 Ukee Street under a Class 14 Brewpub license (B0015). The remaining 5% interest in BLH is held by Kenneth Shiu, who is a Member and Manager of BLH. Kenneth Shiu is not an Officer/ Director of MPI and does not have an interest in MPI.

MPI also currently exercises two separate Brewpub licenses at 101 University Avenue (B0010) and 98-1005 Moanalua Road, #231 (B0016). MPI currently manufactures beer at 1010 University Avenue, but not at 98-1005 Moanalua Road, #231 (may be operating out-of-class).

By definition (HRS §281-1), Class 18 Small Craft Producer Pub licensees are considered retail licensees under State law.

For BLH and MPI there may be a potential tied house arrangement under federal regulation since under federal regulations they are both brewers, of malt beverages (beer) and are both industry member subject to federal “tied house” regulations.

BLH appears to be an “Affiliate” of MPI with an “Indirect interest” in MPI, but if the product is a malt beverage (beer), there must be a similar (not same) State law to enable application of the Federal Alcohol Administration Act.

It appears that **there may be a similar State law** in that State law (HRS §281-31(b)) a brewer of malt beverages holding a Class 1 Manufacture license or licensed premises of any other licensee (other than a wholesaler), but that the same brewer holding a Class 18 Small Craft producer pub license is classified as a retail licensee under HRS 281-1 and appears **not to be prohibited** (HRS 281-42) as it is itself considered a retail license under State law.

HRS §281-38: “Every license issued under this chapter shall contain the condition that it is **subject to this chapter and any other laws applicable to the business of the licensee**, weather in existence at the time of issue of such license or enact amended from time to time thereafter...”

**TITLE 27 UNITED STATES CODE CHAPTER 8- FEDERAL
ALCOHOL ADMINISTRATION ACT:**

§205. Unfair competition and unlawful practices: It shall be unlawful for any person engaged in business as a distiller, brewer, rectifier, blender, or other producer, or as an importer or wholesaler, of distilled spirits wine, or malt beverages, or as a bottler, or warehouseman and bottler, of distilled spirits, **directly or indirectly or through an affiliate:...**

(b) "Tied House"

To induce through any of the following means, any retailer, engaged in the sale of distilled spirits, wine, or malt beverages, to purchase any such products from such person to the exclusion in whole or in part distilled, wine, or malt beverages sold or offered for sale by other persons in interstate or foreign commerce, if such inducement is made in the course of interstate or foreign commerce, or if such person engages in the practice of using such means, or any of them, to such an extent as substantially to restrain or prevent transactions in interstate or foreign commerce in any such products, or if the direct effect of such inducement is to prevent, deter, hinder, or restrict other persons from selling or offering for sale any such products to such retailer in interstate or foreign commerce:

1) By acquiring or holding...any interest in any license with respect to the premises of the retailer; or...

(f)...In the case of malt beverages, the provision of subsections (a), (b), (c), and (d) Shall apply to transactions between a retailer or trade buyer in any State only to the extent that the law of such State imposes similar requirements with respect to similar transactions between a retailer or trade buyer in such State and a brewer, importer, or wholesaler of malt beverages in such State, as in the case may be...

§211. Miscellaneous provisions

(1) Definitions

(4) The term “**affiliate**” means any one of two or more persons if one of such persons has actual or legal control, directly or indirectly, whether by stock ownership or otherwise, of the other or others of such persons; and any one of two or more persons subject to common control, actual or legal, directly or indirectly, whether by stock ownership or otherwise.

Title 27 Code of Federal Regulations Part 6:

§6.3 Application

(a) General. This part applies only to transactions between industry members and retailers. It does not apply to transactions between two industry members (for example, between a producer and a wholesaler), or to transactions between an industry member and a retailer wholly owned by that industry member.

§6.4 Jurisdictional limits.

(a) General. The regulations in this part apply where:

(1)The industry member induces a retailer to purchase distilled spirits, wine, or malt beverages from such industry member to the exclusion in whole or in part of products sold or offered for sale by other persons in interstate or foreign commerce; and

(2)If:

(i) The inducement is made in the course of interstate or foreign commerce; or

(ii)The industry member engages in the practice of using an inducement to such an extent as substantially to restrain or prevent transactions in interstate or foreign commerce in any such products; or

(iii)The direct effect of the inducement is to prevent, deter, hinder or restrict other persons from selling or offering for sale any products to such retailer in interstate or foreign commerce.

(b) Malt beverages. **In the case of malt beverages, this part applies to transactions between a retailer in any State and a brewer, importer, or wholesaler of malt beverages inside or outside such State only to the extent that the law of such State imposes requirements similar to the requirements of section 105(b) of the Federal Alcohol Administration Act (27 U.S.C. 205 (b)), with respect to similar transactions between a retailer in such state, as the case may be.**

§6.11 meaning of terms.

Industry member. Any person engaged in business as a distiller, brewer, rectifier, blender, or other producer, or as an importer or wholesaler, of distilled spirits, wine or malt beverages...

Retailer. Any person engaged in the sale of distilled spirits, wine or malt beverages to consumers...

§6.21 Application

Except as provided in subpart D, it is **unlawful for any industry member to induce, directly or indirectly, any retailer to purchase any products from the industry member to the exclusion, in whole or in part, of such products sold or offered for sale by other persons in interstate or foreign commerce by any of the following means:**

(a) **By acquiring or holding...any interest in any license with respect to the premises of the retailer;...**

§6.26 indirect interest.

Industry member interest in retail licenses includes any interest acquired by corporate officials, partners, employees or representatives of the industry member. Any interest in a retail license acquired by a Separate Corporation in which the industry member or its officials, hold ownership or are otherwise affiliated, is an interest in a retail license.

§6.27 Proprietary interest.

(a) **Complete Ownership.** Outright ownership of a retail business by an industry member is not an interest which may result in a violation of section §105(b)(1) of the Act.

(b) **Partial Ownership.** Less than complete ownership of a retail business by an industry member constitutes an interest in a retail license within the meaning of the Act.

§6.151 Exclusion, in general.

(c) Exclusion, in whole or in part occurs:

- (1) When a practice by an industry member, whether direct or indirect, or through an affiliate, places (or has the potential to place) retailer independence at risk by means of a tie or link between the industry member control over retailer; and**
- (2) Such practice results in the retailer purchasing less than it would have of a competitor's product...**

HISTORY OF VIOLATIONS OF OTHER LIQUOR LICENSE INTERESTS DURING THE PERIOD OWNER OR OPERATED BY PRINCIPALS:

Beer Lab HI (B0010)

LCV 18-0211

Violation of HLC Rule 3-84-78.01(b) Conduct of employee, employee drinking on duty. Violation date 5/17/2018.

Beer Lab HI (B0010)

LCV 18-0220

Violation of HRS 281-78(b)(7) Brand name of beer not displayed on draft beer dispensing spigot. Violation date 5/4/2018.

ZONING CLEARANCE:

Zoning clearance must be submitted prior to issuance of license.

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:

As of October 21, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

OPINION:

In my opinion, has met statutory requirements of filing this request.



Scott Perez
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Investigator

10/20/2020
wh

2020 FEB 24 P 2:38

Rule 3-83-53.1

CITIZENSHIP* USA DATE ARRIVED IN
HAWAII (if applicable)
(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

[illegible]

NOTARY INITIAL: _____

List your experience in the liquor industry: RESIDENT AND FOUNDER OF BEER LAB HI BREWERY, OPERATING SINCE MARCH 2016.

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2020 FEB 24 P 2:38

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, NICOLAS WONG

of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 2nd day of January, in the year of 2020, personally appeared Nicolas Man Wong who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

2nd day of January, 20 20

Signature of Notary

Print Name: Denise Santos
Notary Public, State of Hawaii

My commission expires April 10, 2020

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

Date of Doc: undated # of Pages: 2

Notary Name: Denise Santos First Circuit

Doc Description: personal History and Affidavit

Notary Signature

JAN 02 2020

Date

(Place Notary Stamp or Seal here)

RECEIVED
LIQUOR COMMISSION
1968-5249 HONOLULU

2020 FEB 24 P 2: 38

Rule 3-83-53.1

CITIZENSHIP* USA DATE ARRIVED IN
HAWAII (if applicable)
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

[illegible]

NOTARY INITIAL _____

List your experience in the liquor industry: COO & FOUNDER OF BEER LAB HI BREWERY, OPERATING SINCE
MARCH 2016. LIQUOR COMMISSION
C&C OF HONOLULU

2020 FEB 24 P 2:38

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, KEVIN TERUYA

of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not been convicted of any felony charge.

Kevin Teruya

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 3rd day of January, in the year of 2020, personally appeared Kevin Isao Teruya who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Kevin Teruya

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

3rd day of January, 2020

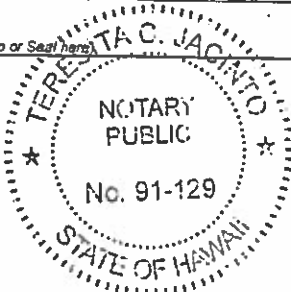
Teresita C. Jacinto

Signature of Notary

Print Name: Teresita C. Jacinto
Notary Public, State of Hawaii

My commission expires 02/21/2023

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: Updated # of Pages 2

Notary Name: Teresita C. Jacinto First Circuit

Doc Description: Personal History

and Affidavit

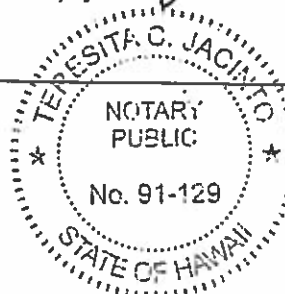
Teresita C. Jacinto

Notary Signature

1/21/2020

Date

(Place Notary Stamp or Seal here)

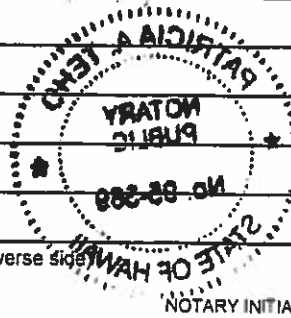
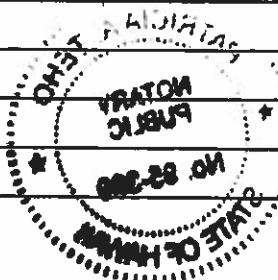


2020 FEB 24 P 2: 39

Rule 3-83-53.1

EMPLOYMENT RECORD (from the time school was completed to present):

<u>FROM</u> <u>MONTH/YEAR</u>	<u>TO</u> <u>MONTH/YEAR</u>	<u>POSITION</u>	<u>EMPLOYER</u>	<u>LOCATION</u>
02/2006	04/2016	Nuclear Engineer	Pearl Harbor	Pearl Harbor, Hawaii
04/2016	Present	Mechanical Engineer	Naval Facilities Pacific	Pearl Harbor, Hawaii



(If additional space is needed, please use reverse side)

NOTARY INITIAL _____

List your experience in the liquor industry: FO, partial owner of Beer Lab Hawaii. Experiences include serving and managing the bar area at the brewery tap room, aiding brewing operations and ensuring that brewery meets and maintains compliance with TTB and other regulations.

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☐ Full time, or ☒ Part-time?

I, Derek Taguchi, of _____
(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

[Signature]

Signature



RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2020 FEB 24 P 2:39

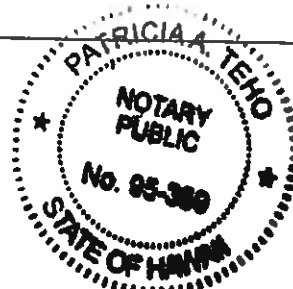
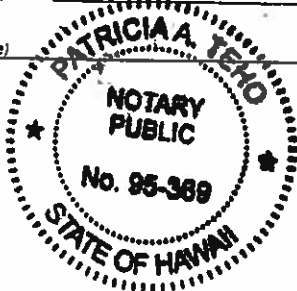
FOR NOTARY USE ONLY

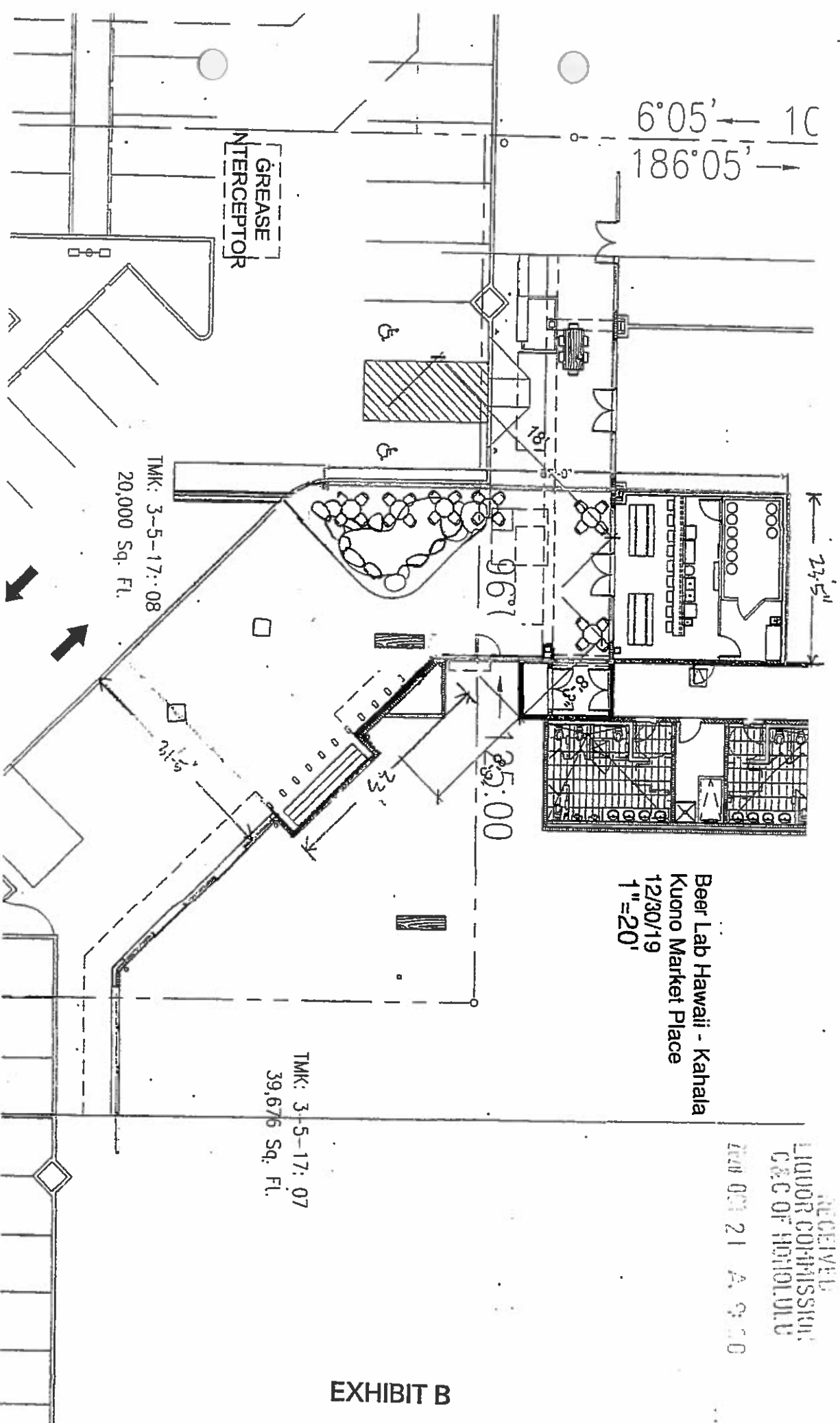
STATE OF HAWAII
City and County of Honolulu } SS.

On this JAN 03 2020 day of January, in the year of 2020, personally appeared Derek Taguchi who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

[Signature]
Signature of applicant(s) before Notary
Subscribed and sworn to before me this:
day of JAN 03 2020, 20
Patricia A. Teho
Signature of Notary
Print Name: Patricia A. Teho
Notary Public, State of Hawaii
My commission expires SEP 05 2023
(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION
Date of Doc: not dated # of Pages: 2
Notary Name: Patricia A. Teho Circuit
Doc. Description: Affidavit
[Signature]
Notary Signature
JAN 03 2020
Date
(Place Notary Stamp or Seal here)





Beer Lab Hawaii - Kahala
 Kuono Market Place
 12/30/19
 1"=20'

RECEIVED
 LIQUOR COMMISSION
 C&C OF HONOLULU
 JUN 03 21 A. 9:00

EXHIBIT B

Google Maps

4210 Waialae Ave

Masao Properties Incorporated dba Beer Lab HI



Imagery ©2020 Google, Map data ©2020, Map data ©2020 200 ft

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LIQUOR COMMISSION
C&C OF HONOLULU

2020 DEC 11 P 12:08

WAYNE LUKE
ATTORNEY AT LAW
1219 ALA PILI LOOP
HONOLULU, HAWAII 96818

#20-21461
Continued from
DEC 17 2020 to JAN 7 2021

December 10, 2020

TO: Honolulu Liquor Commission

FROM: Wayne Luke

RE: New Application No. 20-21461 from Masao Properties Incorporated dba
Beer Lab HI

Generally, a Manufacture License cannot have an interest in a Retail License. If it does, "Tied House" provisions would apply.

In the instant case, although Beer Lab Hawaii and Masao Properties Incorporated both are brewers of malt beverages, they are considered to be retailers under Hawaii laws and not manufacturers. Therefore, "Tied House" provisions would not be applicable.

Wayne Luke

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LIQUOR COMMISSION
C&C OF HONOLULU

2020 DEC 11 P 12:08

WAYNE LUKE
ATTORNEY AT LAW
1219 ALA PILI LOOP
HONOLULU, HAWAII 96818

#20-21461

December 9, 2020

TO: Karen Kaneshiro
FROM: Wayne Luke
Attorney for Beer Lab HI

Your protest was referred to me for action.

If you have any questions concerning this application, please contact me at 946-3151.

Wayne Luke

Wayne Luke
Attorney at Law
1219 Ala Pili Loop
Honolulu, HI 96818

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2020 DEC 11 P 12:08

10 Commissioners

Submissions for Beer Lab
hearings dated 12-17-2020

4163 Keolu St. Apt. 2
Honolulu, HI 96816

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HONOLULU
C&L

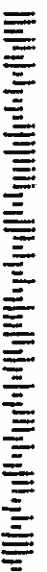
2020 NOV 30 PM 1:13

Liquor Commission
Pacific Park Plaza
711 Kapiolani Blvd
Honolulu, HI 96813

HONOLULU HI 967
27 NOV 2020 PM 2 L



96813-524950



RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2020 NOV 30 PM 1:13

NOTICE OF PUBLIC HEARING (CONT.)

PROTEST

Application No.: 20-21461
Applicant: Masao Properties Incorporated
Trade name: Beer Lab HI
Place of business: 4210 Waialae Avenue, Honolulu, Hawaii
License applied for: Small Craft Producer Pub (Category No. 2)
- (Consumption on premises)

Category No. 2 is a premises in which live entertainment or recorded music is provided. Facilities for dancing by the patrons may be permitted as provided by Commission rules.

Dated: 10-30-2020

Wayne Luke
Signature

To: Liquor Commission

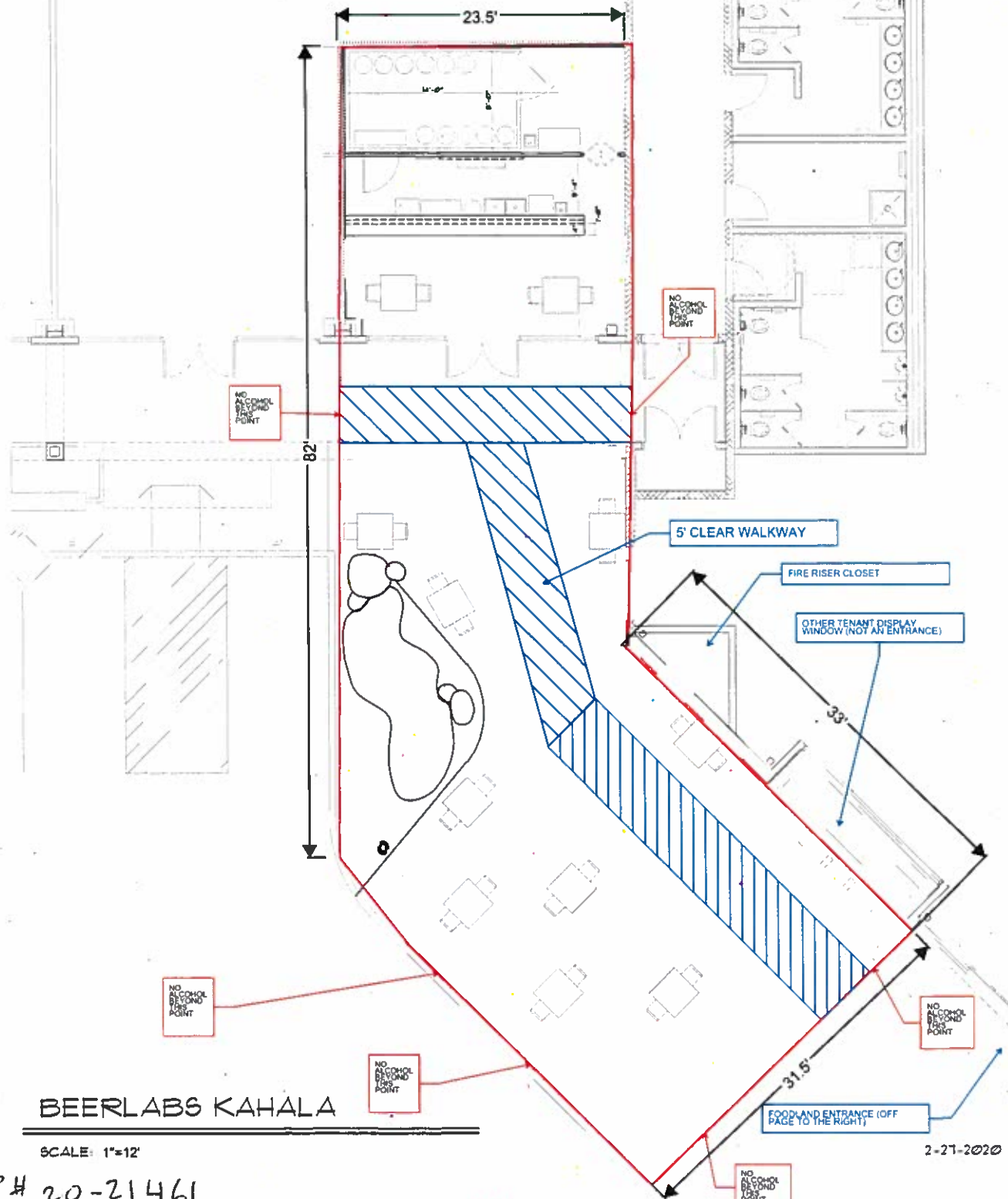
I am against the granting of a license
to above applicant.

Karen Kaneshiro
4163-2 Keolu St.
Hon, HI 96816

sl...h-

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2020 JAN -4 A 11:35



BEERLABS KAHALA

SCALE: 1"=12'

2-21-2020

APP# 20-21461

SUPPLEMENTAL LICENSING INVESTIGATIVE REPORT

DATE: January 6, 2021

SUBJECT: New Liquor License Application No. 21-22196 from Alejandro's Mexican Food LLC dba Alejandro's Mexican Food, Restaurant General (Category 2: Music/Dancing) license at the former location of FTG Company USA, Inc. dba Yakiniku Futago HI, located at 949 Kapahulu Avenue, Honolulu HI

CORRECTION TO BACKGROUND:

In the Licensing Investigative report, application 21-22196, dated December 21, 2020, an erroneous misstatement was made indicating that a Change in category was filed for application number 21-22181. Upon further review, the applicant erroneously indicated a Change in Category FOR THIS APPLICATION (21-22196), however that cannot occur without an existing license. this application 21-22196 is for a new liquor license application, and not a change of category.

The applicant had filed Three liquor license applications:

Stand-Alone Temporary Liquor License for a Restaurant General Category 1: Standard license, Application 21-22180, filed by the applicant on August 14, 2020

New Liquor License for a Restaurant General Category 1: Standard license Application No. 21-22181, filed by the applicant on September 24, 2020.

New Liquor License for a Restaurant General Category 2: Music/Dancing license Application No. # 21-22196, filed by the applicant on September 24, 2020.

The applicant is applying for a new liquor license at the former location Of FTG Company USA, Inc. dba Yakiniku Futago, Restaurant General (Category 1: Standard) license. The New application is for a Restaurant General (Category 2: Music/ Dancing) license.

BACKGROUND-CONTINUED:

The applicant filed for a Stand-Alone Temporary Liquor License, Application 21-22180 on August 14, 2020, in connection to Application 21-22181, the same class and category as the previous license to enact the Stand-Alone Temporary license, which was granted by the Commission.



Matthew Foster
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Investigator

ah

LICENSING INVESTIGATIVE REPORT

DATE: December 21, 2020

SUBJECT: New Liquor License Application No. 21-22196 from Alejandro's Mexican Food LLC dba Alejandro's Mexican Food, Restaurant General (Category 2: Music/Dancing) license at the former location of FTG Company USA, Inc. dba Yakiniku Futago HI, located at 949 Kapahulu Avenue, Honolulu HI

BACKGROUND:

The applicant is applying for a new liquor license at the former location Of FTG Company USA, Inc. dba Yakiniku Futago, Restaurant General (Category 1: Standard) license.

This report was filed in conjunction with a Change in Category application No. # 21-22181, filed by the applicant on September 24, 2020.

WAIVER:

On September 3, 2020, the Commission granted the applicants request to waive Rule 3-82-32.1(a) requiring a temporary license to be filed within five working days of the surrender of the previous license or the close of business. FTG Company USA, Inc. dba Yakiniku Futago (R0949) was canceled voluntarily on June 12, 2020.

COMPANY STRUCTURE:

Alejandro's Mexican Food LLC: was organized under the laws of the State of Hawaii on June 17, 2020, as a member-managed limited liability company.

The Members are:

		<u>Percent</u>
Alvarado, Alejandro	Member	50%
Coelho, Luke	Member	50%
	Total	100%

COMPANY STRUCTURE-CONTINUED:

For further details of the principals, see **Exhibit A** for biographical information. CJIS Computer System checks are negative for felony convictions.

FINGERPRINTS:

The principals will make an appointment with "Fieldprint Fingerprinting Services" for fingerprinting on a later date.

FINANCIAL STATEMENT OF ALEJANDRO'S MEXICAN FOOD LLC AS OF JULY 20, 2020:

Applicant submitted a Financial Statement dated July 20, 2020, and received by the Commission August 14, 2020 and certified by the applicant to be substantially correct.

COST AND FINANCING:

The applicant stated that the business required minimum financing to begin operations, estimated at \$20,000, which was self-financed.

TRADE NAME:

The applicant's has filed a State of Hawaii Department of Commerce and Consumer Affairs Assignment of Trade Name. The name "Alejandro's Mexican Food" is registered to the applicant on July 31, 2020.

STAND-ALONE TEMPORARY APPLICATION FILED:

The applicant filed for a Stand-Alone Temporary Liquor License, Application 21-22180 on August 14, 2020.

The applicant is applying for a new liquor license at the former location Of FTG Company USA, Inc. dba Yakiniku Futago, Restaurant General (Category 1: Standard) license, however desires to change the Category from a Restaurant General (Category 1: Standard) license to a Restaurant General (Category 2: Music/ Dancing License).

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is located at 949 Kapahulu Avenue, Honolulu.

- Approximately 1,900 total square footage
- Kitchen – approximately 345 square feet
- Dining Area – Approximately 1,130 square feet
- Restroom located inside the premises
- Stand Alone Bar
- Designated Dance floor – approximately 12 x 10 (120 square feet)
- Designated Stage area – approximately 7 x 10 feet (70 square feet)

See **Exhibit B** for floor plan.

Parking: Parking stalls available in the parking lot and street parking.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Crane Community Park
2705 Kaimuki Avenue, Honolulu
Approximately 75 feet from the proposed premise

SAME CLASS OF LICENSE WITHIN 500 FEET:

Mr. Ojisan, Inc.
dba Mr. Ojisan (R0573)
1016 Kapahulu Avenue, #140, Honolulu
Approximately 410 ft from the proposed premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of December 21, 2020, there is 538 Restaurant licenses issued within the City and County of Honolulu, of which 498 are of the General Kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business:

- Restaurant – Quick Service/ sit-down Mexican Restaurant
- Designated Dance Floor
- Designated Stage
- Estimated 15 employees / 3-4 registered Manager
- Hours of Operation: 11:00am to 9:00pm – Tuesday – Saturday
4:00pm to 9:00pm – Sunday / Closed Monday

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE-CONTINUED:

Lease: Nangkapo Family Limited Partnership (Landlord) and Alejandro's Mexican Food, LLC (Tenant) from August 1, 2020 to July 31, 2023.

Landlord Consent: According to the Commercial Lease, Nangkapo Family Limited Partnership (Landlord), dated February 25, 2020 and received by the Commission June 24, 2020, allows for the selling and consumption of liquor on the premises.

Business Plan: The applicant has submitted a business plan in connection to this application.

See **Exhibit C** for business plan.

NOISE IMPACT EVALUATION:

A Noise Impact Evaluation was conducted on December 8, 2020. The potential of the premises to adequately contain noise is rated as fair. Acoustic and background music will be the initial usage of the category.

See **Exhibit D** for further details.

OTHER LIQUOR LICENSED INTERESTS:

Multi-Latin Foods L.L.C. dba Alejandro's Mexican Food
Restaurant General (Category 2: Music/Dancing) license at 2831 Kalihi Street, #E, Honolulu (R1331) from November 26, 2018 to current.

HISTORY OF VIOLATION FOR OTHER LIQUOR LICENSED INTEREST DURING THE PERIOD OWNER OR OPERATED BY THE PRINCIPALS:

None

ZONING CLEARANCE:

An approved Department of Planning and Permitting zoning clearance dated July 15, 2020 has been received.

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

As of December 21, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.


OPINION:

In my opinion, the applicant has complied with the minimum requirements of filing this application.



Matthew Foster
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Investigator *ah*

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C&C OF HONOLULU

3-5249 RECEIVED
LIQUOR COMMISSION
C & C OF HONOLULU

Rule 3-83-53.1

CITIZENSHIP*DATE ARRIVED IN
HAWAII (if applicable)

*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

<u>FROM</u> <u>MONTH/YEAR</u>	<u>TO</u> <u>MONTH/YEAR</u>	<u>POSITION</u>	<u>EMPLOYER</u>	<u>LOCATION</u>
7/2003	1/2012	Project Manager	Sunrise Development	Honolulu, Hawaii
7/2012	8/2014	Bartender	Nashville Waikiki	Honolulu, Hawaii
1/2014	3/2020	Waiter	Hilton Hawaiian Village	Honolulu, Hawaii

(If additional space is needed, please use reverse side)

NOTARY INITIAL:

~~EXHIBIT A~~

List your experience in the liquor industry:

Bartending at Nashville Waikiki and serving at the Hilton Hawaiian Village.

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☐ Full time, or ☒ Part-time?

I, LUKE COELHO, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII

City and County of Honolulu

SS.

On this 8th day of JULY, in the year of 2020, personally appeared LUKE COELHO who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

8th day of JULY, 2020

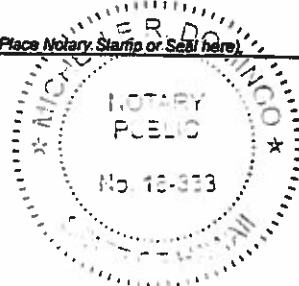
Signature of Notary

Print Name: MICHELLE R. DOMINGO

Notary Public, State of Hawaii

My commission expires MY COMMISSION EXPIRES 06/24/2022

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: 07/08/2020

of Pages: 2

Notary Name: MICHELLE R. DOMINGO

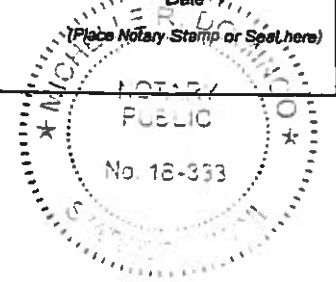
FIRST Circuit

Doc. Description: Personal History and Affidavit

Signature of Notary

Date: 07/08/2020

(Place Notary Stamp or Seal here)



LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7301
INTERNET ADDRESS: www.honolulu.gov/lic

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C&C OF HONOLULU

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LIQUOR COMMISSION
C&C OF HONOLULU

PERSONAL HISTORY AND AFFIDAVIT

2020 SEP 24 A 11:22

Rule 3-83-53.1

2020 SEP 14 A 9:14

NAME ALVARADO ALEJANDRO ONAR SOCIAL SECURITY NO. _____
Last First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
CITY _____ STATE _____ ZIP CODE _____ BUS. () _____
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM/DD/YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1996 NAME OF SCHOOL Rowland High School, CA
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED 2002 NAME OF COLLEGE CAL STATE Los Angeles
(Include City and State)

OTHER EDUCATION _____

CITIZENSHIP* USA A.H. DATE ARRIVED IN HAWAII (if applicable) 11/2009 A.H.
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
MAY 2011	CURRENT	OWNER	ALEJANDRO'S MEXICAN FOOD	2831 KALIHI ST Honolulu HI 96819
NOV 2009	MAY 2011	TIKI'S GRILL + BAR	Waikiki, HI	
JULY 2007	NOV 2009	CUT WOFFING PUCK	LAS VEGAS NV	
DEC 1998	JULY 2007	THE CHEESECAKE FACTORY	PASADENA, CA / LAS VEGAS, NV	

(If additional space is needed, please use reverse side)

List your experience in the liquor industry:

HAVE MY OWN BAR FOR
LAST 1.5 YRS IN KALIHI VALLEY.

Will you devote time to manage the subject business?



Yes



No

If answer is "YES", will it be



Full time, or



Part-time?

I, _____, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☒ have ☒ have not been convicted of any felony charge.

[Handwritten Signature]

Signature

P/
R/
P/
A/



FOR NOTARY USE ONLY

STATE OF HAWAII

City and County of Honolulu

SS.

On this 8th day of July, in the year of 2020, personally appeared ALEXANDRO ALVARADO who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

[Handwritten Signature]
Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

8th day of July, 2020

[Handwritten Signature]
Signature of Notary

Print Name: MICHELLE R. DOMINGO
Notary Public, State of Hawaii

My commission expires MY COMMISSION EXPIRES 06/24/2022

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: 07/08/2020

of Pages: 2

Notary Name: MICHELLE R. DOMINGO

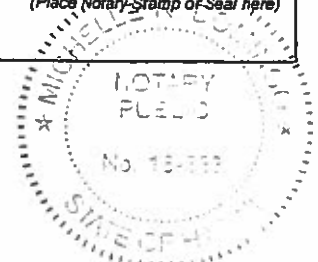
FIR Circuit

Doc. Description: Personal History and Affidavit

[Handwritten Signature]
Notary Signature

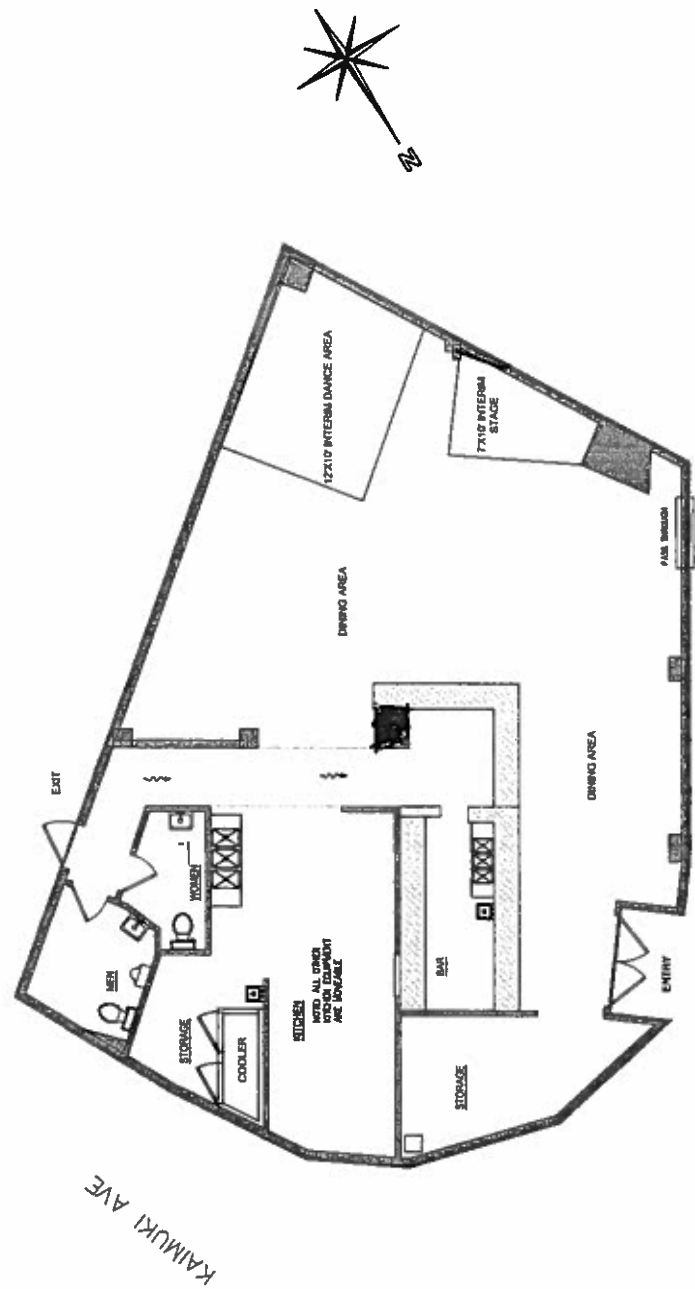
07/08/2020
Date

(Place Notary Stamp or Seal here)



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2020 AUG 14 A 9:46

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C&C OF HONOLULU
2020 SEP 24 A 11:26



A FLOOR PLAN
SK-1 SCALE: 1/8" = 1'-0"

8' 4' 0' 8'

SCALE: 1/8" = 1'-0"

December 8, 2020

Dear Liquor Commission,

I am writing this letter as a description of what we are looking to do with a new liquor license at 949 Kapahulu Ave. We are a fast service restaurant with a take out window and dining in as well. Our dining area has a bar in the center of it. The bar seats about 8 people and the dining room can seat up to 40 people comfortably. It's a bit limited during these times due to social distancing standards. We have a designated area for where we plan to play live music. We currently have 15 staff members and 3 manager/owners. With the addition of the liquor license we plan to employee another 4 bartenders. We wanted to request a liquor license that allows for the music and dancing which we believe could add to a fun environment to our restaurant.

Our hours of operations are Tuesday – Saturday 11am -9pm and Sunday 4pm-9pm. With the addition of the liquor license we would only be looking to expanding our Friday and Saturday night hours from 9pm -10pm. Thank you for your time and look forward to having our license get approved.

Sincerely,

Alejandro Alvarado

Alejandros Mexican Food LLC

949 Kapahulu Ave.

Honoulu, HI 96816

Alejandro's

MEXICAN FOOD

BURRITOS -

10-inch flour tortilla with Mexican rice, pinto beans, onions, cilantro, salsa verde and your choice of meat.

BEEF - \$ 7. 50
CARNITAS - \$ 7. 75
CARNE ASADA - \$ 9. 50

TACOS -

5-inch corn tortilla with your choice of meat, onions, cilantro and salsa verde.

BEEF - \$ 2. 50
CARNITAS - \$ 2. 75
CARNE ASADA - \$ 3. 50

MACHO BURRITO -

12-inch flour tortilla with Mexican rice, pinto beans, onions, cilantro, salsa verde, cheese sour cream and your choice of meat.

BEEF - \$ 13. 00
CARNITAS - \$ 13. 50
CARNE ASADA - \$ 15. 00

QUESADILLA -

10-inch flour with cheese, onions, cilantro, salsa verde and your choice of meat.

BEEF - \$ 7. 00
CARNITAS - \$ 7. 50
CARNE ASADA - \$ 8. 00

ADD ON -

CHEESE - \$ 0. 50
SOUP CREAM - \$ 0. 50
SLICED AVACADO - \$ 0. 50

DRINKS -

COKE, DIET COKE,
DR. PEPPER, GINGERALE
SUNKIST, 7-UP, WATER - 1.50

EXHIBIT C

2831 Kalihi St. #E

(808) 777 0038

MEXI BOWL -

Mexican Rice, pinto beans, cheese, sour cream, onions, cilantro and your choice of meat.

BEEF - \$ 7. 50
CARNITAS - \$ 7. 75
CARNE ASADA - \$ 8. 50

VEGGIE OPTIONS -

QUESADILLA - \$ 5. 00
REG. BURRITO - \$ 6. 00

TACO - \$ 2. 50
MACHO BURRITO - \$ 9. 50

TACO COMBO PLATE

Your choice of 3 tacos - includes a side of rice, and beans and a drink.

#1 - 3 CARNITAS / BEEF TACOS \$ 10. 50
#2 - 1 BEEF, 1 ASADA, 1 CARNITAS \$ 11. 50
#3 - 1 BEEF / CARNITAS, 2 CARNE ASADA \$ 12. 50
#4 - 3 CARNE ASADA TACOS \$ 13. 50

DAILY SPECIALS

TACO TUESDAY

50 cents off all 'A LA Carte' Tacos!

BEEF - \$ 2. 00
CARNITAS - \$ 2
CARNE ASADA - \$ 3. 00

WET BURRITO WED.

House made red enchilada sauce, sour cream and cheese on top.

ADD - \$ 1. 50

THURSDAY

Plate with Rice and Beans

CHICKEN ENCHILADA PLATE
- \$ 13.00

SATURDAY

ONE DOLLAR OFF ALL
MACHO BURRITOS.

(808) 777 0038

Alejandro's Mexican Food.com

NOISE IMPACT EVALUATION

PREMISES: Alejandro's Mexican Food LIC. NO. _____

ADDRESS: 949 Kapaeha Ave. Honolulu

DATE: 12/8/2020 W/IN 500 FT. W/IN 100 FT.

TOTAL NO. OF OWNERS/LESSEES OF RECORD _____

TOTAL NO. OF CONDOMINIUMS _____

TOTAL NO. OF COOPERATIVE APT. OWNERS _____

ZONING DESCRIPTION B-2 Community Business
(Residential, Commercial, etc.)

STRUCTURAL DESCRIPTION OF LICENSED PREMISES:

WALLS: HOL. TILE ☒ MASONRY ☒ WOOD ☒ GLASS ☒

GYPSUM _____ OTHER _____

APPROXIMATE PERCENTAGE OF WINDOW SPACE 25%

DOUBLE DOORS (inner & outer): YES _____ NO ☒

UNENCLOSED SECTION(S) OF PREMISES (lanai, courtyard, etc.):
None

AIR-CONDITIONED: YES ☒ NO _____

POTENTIAL OF PREMISES TO ADEQUATELY CONTAIN NOISE:

POOR _____ FAIR ☒ GOOD _____

REMARKS:

Acoustic Background noise at first to begin with.

[Signature]
INVESTIGATOR III

{NOTE: EVALUATION IS NOT BASED ON TECHNICAL QUALIFICATIONS OF THE INVESTIGATOR, AND NO CLAIM TO THE CONTRARY IS MADE OR IMPLIED.}

Google Maps 949 Kapahulu Ave



LICENSING INVESTIGATIVE REPORT

DATE: December 14, 2020

SUBJECT: New Application No. 21-22542 from Koolaupoko Partners LLC dba Heeia Pier-The General Store, for a Retail General License, at 46-499 Kamehameha Highway, (Heeia Kea Small Boat Harbor) Kaneohe, (approximately 853 feet Makai from the main road-Kamehameha Hwy.)

COMPANY STRUCTURE:

Ko'olaupoko Partners LLC: Organized under the laws of the State of Hawaii on July 2, 2020, a manager-managed limited liability company. The manager-members are:

	<u>Title</u>	<u>Interest</u>
MANUEL, Christopher K.	Manager-Member	80%
SUETSUGU, Anthony F.	Manager-Member	20%

See **Exhibit A1 & A2** for biographical background information on MANUEL & SUETSUGU. CJIS check returned negative of felony conviction.

In a notification form dated and received on November 10, 2020, applicant appoints attorney/partner Anthony SUETSUGU as authorized agent.

FINGERPRINTS:

Fingerprints of the principals was done December 9, 2020: results pending.

FINANCIAL STATEMENT FOR KO'OLAUPOKO PARTNERS LLC DBA HE'EIA PIER-THE GENERAL STORE AS OF OCTOBER 15, 2020:

Financial Statement of the applicant, dated October 15, 2020, was submitted to Commission on November 10, 2020, and certified by the applicant to be substantially correct.

COST AND FINANCING:

Approximately \$40,000.00 has been paid by the owners for upgrades, equipment, inventory and supplies; no financing involved.

TRADE NAME:

According to the State of Hawaii Department of Commerce and Consumer Affairs (DCCA), the registered Trade Name is "HEEIA PIER-THE GENERAL STORE; secured from 10/10/2020 to 10/09/2025.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed retail licensee will be located at 46-499 Kamehameha Highway, Kaneohe.

Details of premises: The two-story irregular shaped premises occupies approximately 1,200 square feet of space; ground floor is occupied with the retail merchandising, and the 2nd floor will be the office and storage area.

- Proposed retail is located on State Land under "Heeia Kea Small Boat Harbor".
- Approximately 853 feet toward the ocean side (Makai) from the main road; Kamehameha Highway.
- Main entrance faces mauka via double glass doors.
- Ground floor retail area is comprised of various snacks, drinks and minor boating/fishing and safety necessities.
- Shared parking are located outside and around the harbor area.
- Restrooms are located outside of retailer; public restrooms.

See Exhibit B1 & B2, photo & floor plan.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

None

SAME CLASS OF LICENSE WITHIN 500 FEET:

None

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of December 14, 2020, there are 525 retail licenses issued within the City and County of Honolulu, of which, 493 are retail general licenses.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business: The applicant will be operating a retail-grocery store that will sell various items; fresh and dry goods, daily cooked food, soft and energy drinks, gifts, wine and alcoholic beverages.

Business Hours: The retail will be open daily: 7 am to 9 pm.
Proposing to hire between 6 – 10 employees.

Lease: The Lease was made on September 30, 2020, by and between the State Of Hawaii-Department of Land and Natural Resources Boating Lease No. LO-20-007 ("Lessor"), and Ko'olaupoko Partners LLC ("Lessee").

Term: To Have and to Hold the leased premises for the term of thirty-five (35) years: 10/22/2020 to 09/30/2055.

HISTORY OF VIOLATIONS FOR OTHER LIQUOR LICENSED INTERESTS DURING THE PERIOD OWNER OR OPERATED BY THE PRINCIPALS:

None

LIQUOR LICENSED INTEREST OF APPLICANT:

Free Spirit, LLC (All Special licenses and its affiliates)
20% interest from August 31, 2018 to December 10, 2020.

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

As of December 14, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

ZONING CLEARANCE:

A valid zoning clearance must be received before issuance of a liquor license.


NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. At a minimum, the notification shall include the date of public hearing.


The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

OPINION:

Statutory requirements has been met.


Homer T. Mapua
Licensing Investigator

Reviewed by:


Daniel Sato
Supervising Investigator *ah*

W. 12/16/20

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C&C OF HONOLULU

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

2020 DEC -4 PM 1:53

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME Manuel Christopher Kaniala SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.:
HOME () _____
BUS. () 808 864-6876
CITY _____ STATE _____ ZIP CODE _____
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1990 NAME OF SCHOOL Aiea High School, Aiea, Hawaii
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 2 YEAR COMPLETED 1992 NAME OF COLLEGE Honolulu Community College, Honolulu, HI
(Include City and State)
OTHER EDUCATION Trade School

CITIZENSHIP* _____ DATE ARRIVED IN HAWAII (If applicable) _____
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
3/1991	1/1992	Cashier	Aiea Bowl	99-115 Aiea Hts Dr., Aiea, HI 96701
1/1992	5/1994	Plumber	Ormita Plumbing	99-153 Puakala St., Aiea, HI 96701
6/1994	7/1998	Ramp	Aloha Airlines	HNL Airport
7/1998	6/2000	Plumber	Roto Rooter	1631 Democrat St., Hon., HI 96819
6/2000	Present	Plumber	T&C Plumbing	2472 Komo Mai Dr., Pearl City, HI 96782

(If additional space is needed, please use reverse side.)

NOTARY INITIAL: dsow

Any relative in the liquor business? Yes ☒ No ☐
If answer is "YES", complete the following:

Name of Person: _____ Relationship: _____

Name of Business: _____ Address: _____
(Full Street Address, City, State, Zip)

List your experience in liquor business: _____

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be _____ Full time, or ☒ Part-time?

I, Christopher Kaniaala Manuel, of _____
(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I (☐ have/ ☒ have not) been convicted on any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu } SS.

On this 22nd day of Sept., in the year of 2020, personally appeared CHRISTOPHER KANIAALA MANUEL
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she executed the same in his/her authorized capacity(ies) and that by his/her signature on the aforementioned instrument the person upon behalf of which the person acted, executed the aforementioned instrument in free act and deed.

Signature of Individual before Notary

Subscribed and sworn to before me this:

22nd day of September, 2020

Signature of Notary

Print Name: Dayle S. Sasaki-Hamamoto
Notary Public, State of Hawaii

My commission expires August 3, 2023

NOTARY CERTIFICATION

Date of Doc: undated # of Pages: 2

Notary Name: Dayle S. Sasaki-Hamamoto 1st Circuit

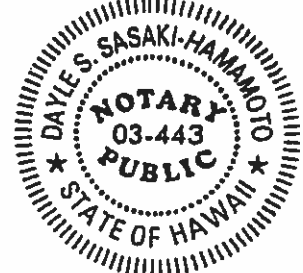
Doc. Description: Personal History And Affidavit

Notary Signature

SEP 22 2020

Date

(Place Notary Stamp or Seal here)



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LIQUOR COMMISSION
-5249-
C & C OF HONOLULU

2023 NOV 10 P 4:18

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME Suetsugu Anthony F.T. SOCIAL SECURITY NO.

Last, _____ First _____ Middle _____ Maiden _____
 HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____

CITY _____ STATE _____ ZIP CODE _____ HOME _____
BUS. (808) 535-5700

PLACE OF BIRTH _____ (City, State) DATE OF BIRTH _____ (MM / DD / YYYY) AGE _____ MARITAL STATUS _____

NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 2003 NAME OF SCHOOL Iolani School, Honolulu, HI
(Include City and State)

NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED 2007 NAME OF COLLEGE Claremont McKenna College, Claremont, CA
(Include City and State)

OTHER EDUCATION William S. Richardson School of Law

CITIZENSHIP* _____ **DATE ARRIVED IN**
HAWAII (if applicable) _____

***(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)**

EMPLOYMENT RECORD (from the time school was completed to present):

<u>FROM</u> <u>MONTH/YEAR</u>	<u>TO</u> <u>MONTH/YEAR</u>	<u>POSITION</u>	<u>EMPLOYER</u>	<u>LOCATION</u>
05/11	Present	Coach	Iolani School	Honolulu, HI
09/10	Present	Attorney	Kobayashi Sugita & Goda	Honolulu, HI

(If additional space is needed, please use reverse side)

NOTARY INITIALS _____

List your experience in the liquor industry: See employment record above

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LIQUOR COMMISSION
C&C OF HONOLULU

EXHIBIT A 2

Will you devote time to manage the subject business? ☐ Yes ☒ No

If answer is "YES", will it be ☐ Full time, or ☐ Part-time?

I, Anthony F. Suetsugu

, of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not been convicted of any felony charge.

[Handwritten Signature]

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 10th day of November in the year of 2020, personally appeared Anthony F. Suetsugu who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

[Handwritten Signature]
Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

10th day of November, 2020

[Handwritten Signature]
Signature of Notary

Print Name: LORNA BOSSE

Notary Public, State of Hawaii

My commission expires FEB. 27, 2021

NOTARY CERTIFICATION

Date of Doc: November 10, 2020 # of Pages: 2

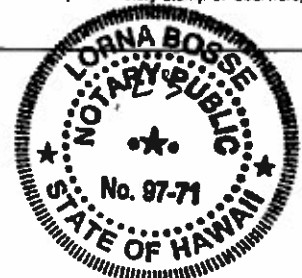
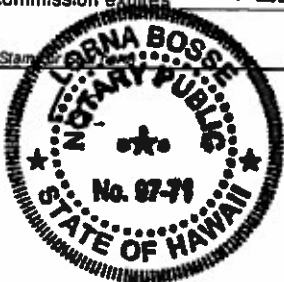
Notary Name: LORNA BOSSE First Circuit

Doc. Description: Liquor Commission - City and County of Honolulu - Personal History and Affidavit

[Handwritten Signature]
Notary Signature

11/10/20
Date

(Place Notary Stamp or Seal here)



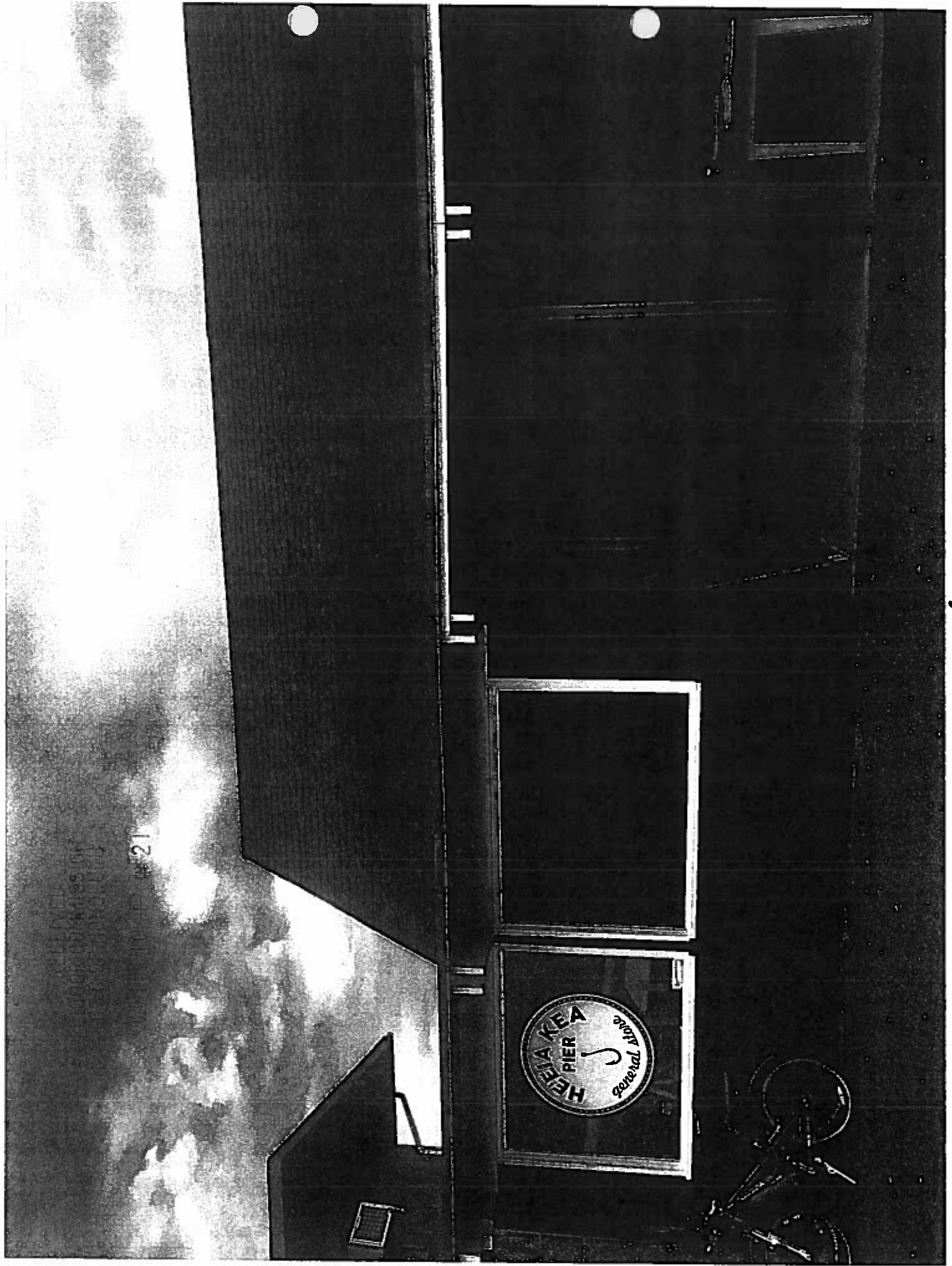
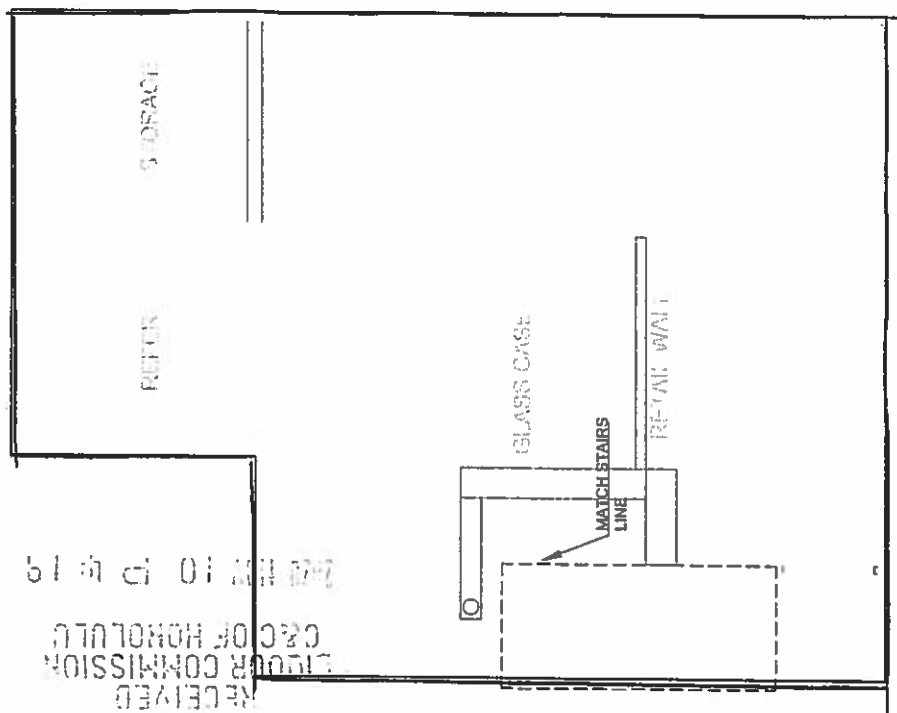
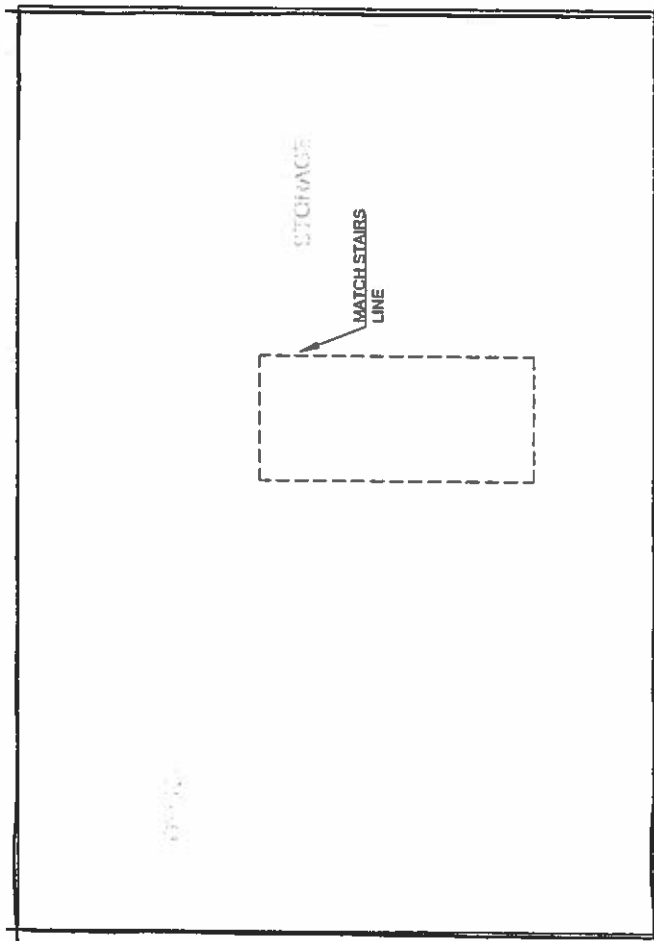


EXHIBIT B1



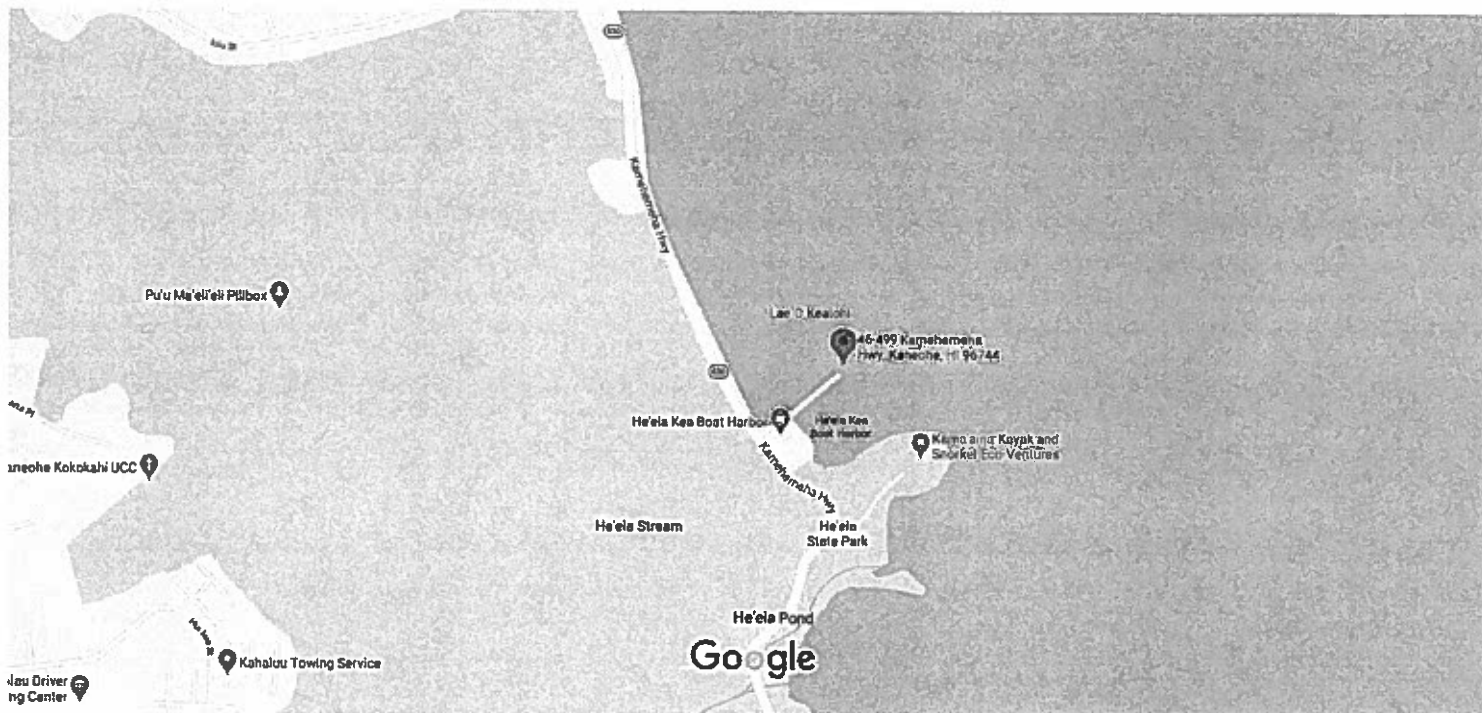
A 1ST FLOOR PLAN
SK-1 SCALE 1/4" = 1'-0"



B 2ND FLOOR PLAN
SCALE: 1/4" = 1'-0"



Google Maps 46-499 Kamehameha Hwy



Map data ©2020 500 ft



46-499 Kamehameha Hwy

Kaneohe, HI 96744

Building



Directions



Save



Nearby

Send to your
phone

Share

Photos

LICENSING INVESTIGATIVE REPORT

Date: February 23, 2021

Subject: Transfer Application No. 20-21487 from Sushi King LLC dba Sushi King LLC Restaurant General/ Category 1 Standard License for the transfer of the liquor license from Shu-Lee F. Kondo dba Sushi King located at 2700 S. King St. Honolulu, HI 96826, and for change of trade name to Sushi King LLC (R0131)

COMPANY STRUCTURE:

SUSHI KING LLC: was organized under the laws of the State of Hawaii on June 28, 2019 as a Manager-Managed Limited Liability Company.

		<u>Membership Units</u>	<u>Interest:</u>
Kondo-Akaka, Sylvia	Manager	0	0%
The Shu-Lee F Kondo Trust	Member	1,000	100%
		1,000	100%

The Shu-Lee F Kondo Trust: Trust was formed on March 19, 2002. The current Trustees are:

Kondo, Shu-Lee Trustee

See Exhibit A1 – A2 for Personal History Affidavits of the principals.

FINGERPRINTS:

Sylvia Kondo-Akaka was fingerprinted on June 2, 2020, and Shu-Lee Kondo was fingerprinted on June 3, 2020. CJIS computer checks and HCJDC/ FBI show negative for felony convictions.

FINANCIAL STATEMENT FOR SUSHI KING LLC. AS OF JULY 17, 2019:

Applicant submitted a Financial Statement dated July 17, 2019, and received by the Commission February 27, 2020, and was certified by the applicant to be substantially covered.

CONSIDERATION:

According to Assignment of Interest prepared by Wayne Luke, the assignment is contingent on Liquor Commission approval and no consideration due to this being a business reorganization.

LICENSE IN EFFECT FOR MORE THAN ONE YEAR:

Liquor Commission records reveal that the Restaurant General Category 1: Standard license has been in effect from August 19, 1992 to present.

DESCRIPTION OF THE PREMISES:

Location: The licensed premises is located 2700 South King Street Bldg. C Honolulu, HI 96826.

The licensed premises is irregularly shaped with 2,822 square feet. The premises includes a dining area of approximately 658 square feet, a sushi bar of approximately 224 square feet, and a kitchen area of approximately 648 square feet.

Male and Female restrooms are located within the licensed premises.

See **Exhibit B**, Floor plan.

PRELIMINARY INSPECTION:

On June 29, 2020, I conducted a preliminary inspection of the premises. The floor plan on file did not match the physical layout of the premises.

Wayne Luke, Authorized Agent, submitted an alteration request 21-22730. This request is to conform to the new floor plan.

BACKGROUND:

February 18, 1992, Shu-Lee Kondo applied for Restaurant General Category 2 (Dancing) Liquor License.

BACKGROUND CONTINUED:

May 12, 1992, Letter from Attorney Roy Kodani requesting to amend category from Category 2 (Dancing) to Category 1 (Standard).

May 26, 1992, Finding of Fact, Decision and Order Denying Application.

June 6, 1992, Letter from Shu-Lee Kondo requesting a rehearing for Liquor License application.

June 8, 1992, Liquor Commission sent notice of rehearing for July 7, 1992.

August 19, 1992, Restaurant General Category 1 (Standard) effective.

REASON FOR TRANSFER:

According to the Authorized Agent Wayne Luke, the reason for the transfer is due to a business reorganization.

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE:

Kind of business:

- Restaurant General Category 1: Standard.
- Japanese restaurant
- Hours of operation
 - o Lunch: 11:30am to 1:00pm
 - o Dinner: 5:00pm to 9:00pm
 - o Closed Tuesdays
- Applicant will have 19 employees and 3 managers

Lease: Landlord's predecessors entered into a written lease dated June 5, 1991, as amended by Amendment to Lease dated February 25, 2011.

According to Second Amendment of Lease effective June 17, 2016, between Commissioner for Ahura, LLC "Landlord", and Sushi King "Tenant". The term of this lease shall be for five (5) years commencing on July 1, 2016 and ending June 6, 2021.

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE CONTINUED:

According to an email from Wayne Luke, Authorized agent, "There is no lease. A lease will be obtained if the Transfer Application is approved.

Refer to **Exhibit C**, Email from Wayne Luke.

In a letter from Wayne Luke titled "30% Food Requirement" dated February 27, 2020, Luke indicates this is a business reorganization and the business will remain the same except for a change from an individual to an LLC. Sushi King has been in business for over 28 years and has met 30% requirement each year.

PENDING VIOLATIONS:

There is one (1) pending violation under license R0131. Notice of Violation #28055 – for the violation of HLC Rule 3-82-38.8; Failure to file timely annual employee list. Violation date 11/30/2020, has not yet been adjudicated.

§3-82-41.1. Transfer of License. (a) No license shall be transferred while an adjudication hearing against the licensee is pending, and/ or there are any outstanding assessments and/ or penalties for liquor law or rule violations.

ZONING CLEARANCE:

A zoning clearance must be received by the Commission prior to issuance of a liquor license.

****No further information in this area refer to next page****

OPINION:

The applicant has met the minimum requirements relative to making and filing of this application. However, there is pending adjudication matter which may affect the transfer of the license.



Scott Perez,
Licensing Investigator

Reviewed By:



Daniel Sato,
Supervising Investigator

*hushon
ah*

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249

PHONE (808) 768-7300 • FAX (808) 768-7311

INTERNET ADDRESS: www.honolulu.gov/lic

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C&C OF HONOLULU

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

2020 FEB 27 P 12:00

NAME Kondo Shu-Lee F Tsai SOCIAL SECURITY NO. _____
Last, First Middle Maiden

HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
HOME () _____

CITY _____ STATE _____ ZIP CODE _____ BUS. () 947-2831

PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM/DD/YYYY)

NO. OF YEARS COMPLETED IN HIGH SCHOOL _____ YEAR COMPLETED _____ NAME OF SCHOOL _____
(include City and State)

NO. OF YEARS COMPLETED IN COLLEGE _____ YEAR COMPLETED _____ NAME OF COLLEGE _____
(include City and State)

OTHER EDUCATION _____

CITIZENSHIP* US DATE ARRIVED IN HAWAII (if applicable) _____
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
<u>1970</u>	<u>1972</u>	<u>Teller</u>	<u>Bank of Tokyo</u>	<u>San Francisco, CA</u>
<u>1973</u>	<u>1977</u>	<u>Housewife</u>		
<u>1978</u>	<u>1991</u>	<u>Restaurant Owner</u>		<u>San Francisco, CA</u>
<u>1992</u>	<u>present</u>	<u>Owner</u>	<u>Sushi King</u>	<u>Hon HI</u>

(If additional space is needed, please use reverse side)

NOTARY INITIAL: _____

List your experience in the liquor industry: _____

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C&C OF HONOLULU

2020 FEB 27 P 12:00

Will you devote time to manage the subject business? Yes ☒ Yes ☐ No

If answer is "YES", will it be Full time, or Part-time?

I, Shu-Lee F. Kondo, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I have ☒ have not ☐ been convicted of any felony charge.

Shu-Lee F. Kondo

Signature



P
R
P
A

FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this _____ day of _____ in the year of _____ personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Shu-Lee F. Kondo
Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

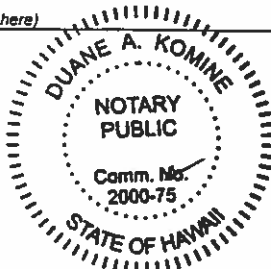
18 day of JULY, 20 19

Duane A. Komine
Signature of Notary

Print Name Duane A. Komine
Notary Public, State of Hawaii

My commission expires 2.13.2020

(Place Notary Stamp or Seal here)



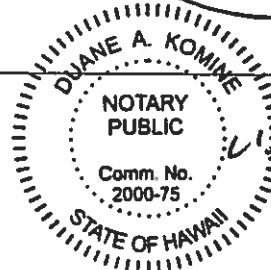
NOTARY CERTIFICATION

Date of Doc: JULY 18, 2019 # of Pages 2
Notary Name DUANE A. KOMINE 1 Circuit
Doc Description: 4Q COLL

Duane A. Komine
Notary Signature

7.18.2019
Date

(Place Notary Stamp or Seal here)



LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-2000
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

PERSONAL HISTORY AND AFFIDAVIT
Rule 3-83-53.1

NAME KONDO AKAKA SYLVIA MICHIKO SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
CITY _____ STATE _____ ZIP CODE _____ BUS. 808, 949-2036
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL _____ YEAR COMPLETED _____ NAME OF SCHOOL _____
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE _____ YEAR COMPLETED _____ NAME OF COLLEGE _____
(Include City and State)
OTHER EDUCATION _____

CITIZENSHIP* USA DATE ARRIVED IN HAWAII (if applicable) _____
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
9/95-9/98		MAC COSMETICS BEST MGR	HONOLULU	MIAMI, LAS
9/98-9/99		RETAIL ASSOCIATE	TIFFANY CO	LAS VEGAS, NV
9/99-11/01		RETAIL OPS MGR	HERMES	LAS VEGAS, NV
11/01-7/04		YVES SAINT LAURENT	BOUVIER	LAS VEGAS, NV
7/04-11/2009		CHRISTIAN DIOR	BOUVIER	HONOLULU, HI
12/09-CURRENT		GRAND KING RESTAURANT		HONOLULU, HI
		BEST MANAGER		HI

(If additional space is needed, please use reverse side)

List your experience in the liquor industry: _____

RESTAURANT SERVICE @ SUSHI KING

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C&C OF HONOLULU

2020 FEB 27 P 12:00

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, SYLVIA KONO HAKA, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☒ have ☐ have not been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this _____ day of _____ in the year of _____, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

NOTARY CERTIFICATION

Date of Doc: July 18, 2019 # of Pages: 2

Notary Name: DUANE A. KOMINE 1 Circuit

Doc. Description: LIQ COMM DOC

Subscribed and sworn to before me this:

18 day of July, 2019

Print Name: DUANE A. KOMINE
Notary Public, State of Hawaii

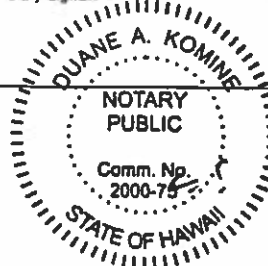
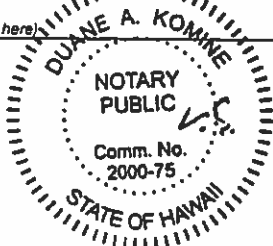
My commission expires 2.13.2020

Notary Signature

7.18.19
Date

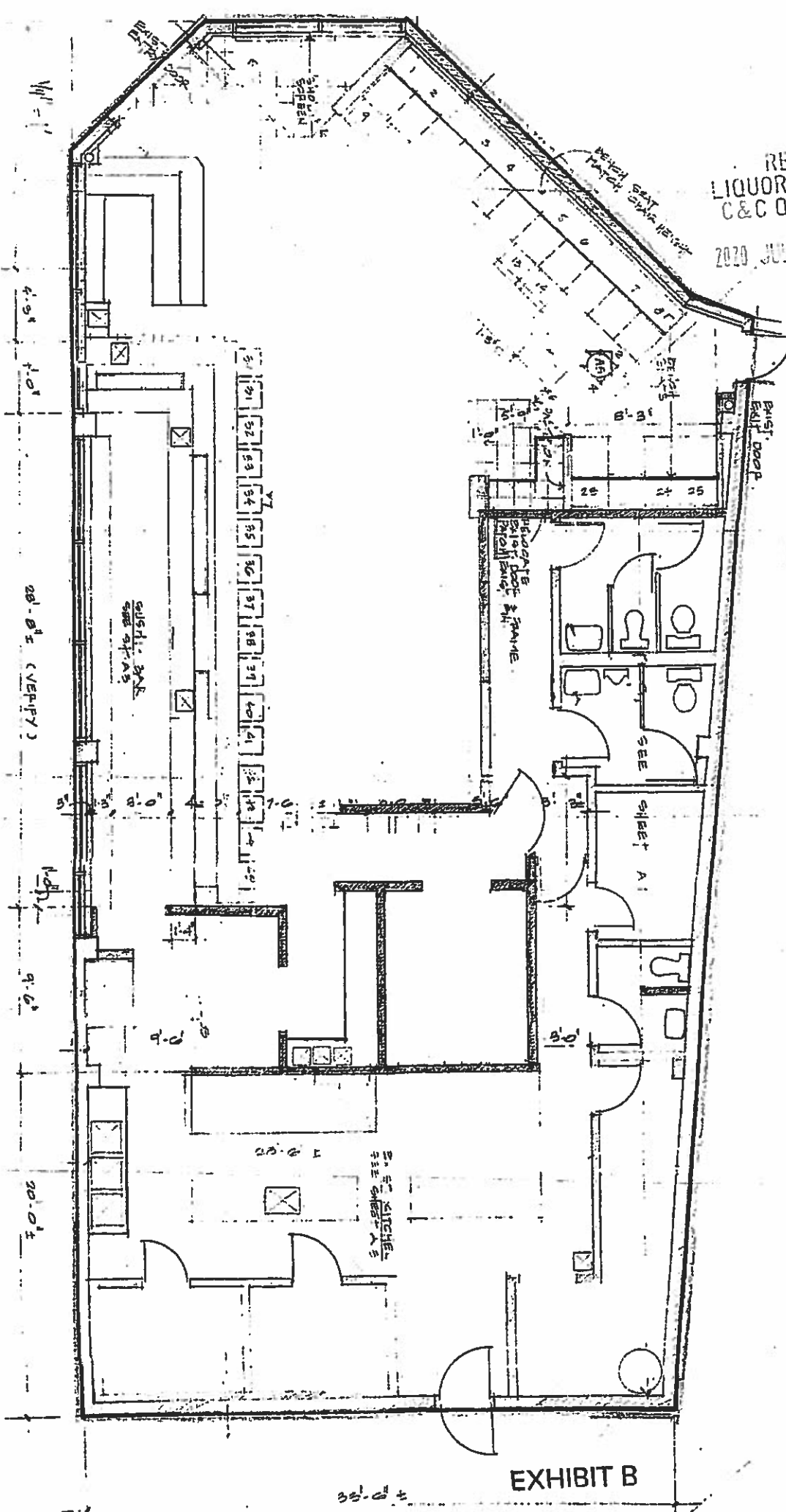
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(Place Notary Stamp or Seal here)



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C&C OF HONOLULU

2020 JUL 15 A 11:39



Perez, Scott

From: Wayne Luke <waynelukeesq@aol.com>
Sent: Thursday, January 28, 2021 10:11 AM
To: Perez, Scott
Subject: Re: Transfer App. No. 20-21487 Sushi King LLC

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Scott,

There is no lease. A lease will be obtained if the Transfer Application is approved.

Sincerely,

Wayne Luke

-----Original Message-----

From: Perez, Scott <sperez@honolulu.gov>
To: Wayne Luke <waynelukeesq@aol.com>
Sent: Wed, Jan 27, 2021 3:01 pm
Subject: Transfer App. No. 20-21487 Sushi King LLC

Wayne,

Is there a lease between the applicant "Sushi King LLC" and the landlord?

V/R,
Scott M. Perez
Liquor Control Investigator III
Honolulu Liquor Commission
711 Kapiolani Blvd. Suite 600
Direct:(808)768-7337
Work Cell:(808)753-8851
Email: sperez@honolulu.gov

EXHIBIT C

LICENSING INVESTIGATIVE REPORT

DATE: February 19, 2021

SUBJECT: Transfer Application No. 21-22715 from PHO Vietnam Inc. dba PHO Vietnam Inc., Restaurant General (Category 1: Standard) license, for the transfer of business & license, from DS Restaurant Group LLC dba CHARM 3, and for a change of the trade name to PHO Vietnam Inc., located at 52 North Hotel Street, Suites 113/114, Honolulu (R1160-Safekeeping)

CORPORATE STRUCTURE:

PHO Vietnam Inc.: Incorporated under the laws of the State of Hawaii and registered on November 23, 2020, an existing corporation in good standing. The corporation's 1,000 authorized shares are currently acquired by the below mentioned officer/director and shareholder:

	<u>Title</u>	<u>Shares</u>	<u>Interest</u>
TRAN, Kim Lien	P/S/T/D	1,000	100%

See **Exhibit A** for biographical background information of TRAN, Kim Lien. CJIS check resulted with negative criminal convictions.

Attorney Wayne Luke been appointed Authorized Agent by the applicant, via Notification of Authorized Agent form LIQ-LIC-106.

FINANCIAL STATEMENTS FOR PHO VIETNAM INC. DBA PHO VIETNAM INC. AS OF NOVEMBER 30, 2020:

Financial Statement of the applicant, dated November 30, 2020, was submitted to the Commission on January 4, 2021, and certified by the applicant to be substantially correct.

TEMPORARY APPLICATION FILED:

Temporary application #21-22716 was approved January 28, 2021.

LICENSE IN EFFECT FOR MORE THAN ONE YEAR:

Liquor Commission records reveal that the current Restaurant General license has been in effect since April 19, 2016, and effective until June 30, 2021; Safekeeping.

ASSIGNMENT OF INTEREST & STOCK AGREEMENTS:

On January 4, 2021, Commission received the "Assignment of Interest", agreement dated **12/20/2020**, via authorized agent and attorney Wayne Luke. According to the A.O.I., "The Purchase Price" is **\$73,000.00**.

On January 4, 2021, Commission also received from attorney Wayne Luke an "Assignment of Stock" agreement, of **500 shares**, dated 12/23/2020 from **Bich Thuy Doan to Kim Lien Tran of PHO Vietnam Inc.**

DESCRIPTION OF THE PREMISES:

Location: The licensed premises is located at 52 North Hotel Street, Suites 113/114; approximately 53 feet mauka-ewa from Smith Street/Hotel Street junction.

Details of the Premises: The nearly rectangular shaped premises occupies approximately 1,885 square feet of ground floor space; Makai-kkhd corner space of the JOS. P. MENDONCA two-story building.

- a. Main entrance on the Makai-kkhd of the premises
- b. Kitchen occupies 405 square feet on the Mauka-kkhd side.
- c. Main dining upon entry; 1,115 square feet of open space.
- d. Separated restrooms & storage closet at the mauka-ewa side.
- e. Mezzanine occupies 221 square feet of confined storage space directly above the kitchen; entrance via ladder.

Parking: Street & metered parking along the side-streets are available.

See Exhibit B1 & B2, photo and floor plan

REASON FOR TRANSFER:

A Business opportunity for both Seller and Buyer.

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE:

Kind of business: A casual Vietnamese restaurant specializing in various Vietnamese cuisine, along with the service of alcoholic beverages.

Business Hours: Open Daily from 10 am to 9 pm daily
A total of 10 part-timers, 4 full-timers and 2 managers to include owner.

Lease: An Assignment Of Lease and Consent By Lessor was made as of the 1st day of December 2020, by Thuy Doan Bich and Kim-Lien Tran dba Pho Vietnamese (“Assignee”), and Saranya Hoopai and Atcharaporn Yamada dba Charm 3 “Assignor”; and or “Lessee” and consented by Springwood Vista, Ltd., (“Lessor”)

Term: To the completion of the April 1, 2018 lease with Saranya Hoopai, of Charm 3, (1 yr. & 4 months) plus an additional two (2) years. To start at 8 am December 1, 2020 and end at 5 pm on March 31, 2024.

Amendment to Lease: Dated 25, December 2020 by Springwood Vista, Ltd., (“Landlord”), and Kim Lien Tran and Bich Thuy Doan (“Tenant”), was received by Commission January 4, 2021.

A “To/From” dated and received on 1/27/21 from A.A. Wayne Luke, advising Commission of the Assignment of Lease and Liquor License to Pho Vietnam Inc. for an amount of \$73,000.00.

LIQUOR LICENSE INTERESTS:

None

PENDING OR HISTORY OF VIOLATIONS:

According to the LCIS, the licensed premises was cited on 8 violations with monetary fines of \$1,075 on 3;

HRS 281-38 Condition of License, Rules 3-81-17.54(c) Gross Sales Reports, Rule 3-82-31.2(a) Conduct of Business.

There are three (3) pending violations within the past 3 years.

See **Exhibit C**, copy of LCIS

ZONING CLEARANCE:

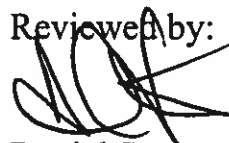
A valid zoning clearance must be received before a liquor license is issued.

OPINION:

Statutory requirements has been met for the filing of this application.


Homer Tamapua
Licensing Investigator

Reviewed by:


Daniel Sato
Supervising Investigator

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

200 JAN -4 P 4:33

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME Tran Kim Lien SOCIAL SECURITY NO. _____
Last First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS. _____
CITY _____ STATE _____ ZIP CODE _____ BUS. _____
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM/DD/YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1995 NAME OF SCHOOL Dong Thap H.S. Dong Thap Vietnam
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 0 YEAR COMPLETED _____ NAME OF COLLEGE _____
(Include City and State)
OTHER EDUCATION _____
CITIZENSHIP* _____ DATE ARRIVED IN HAWAII (if applicable) _____
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

<u>FROM</u> <u>MONTH/YEAR</u>	<u>TO</u> <u>MONTH/YEAR</u>	<u>POSITION</u>	<u>EMPLOYER</u>	<u>LOCATION</u>
1996	1998	Self-employed seamstress		Dong Thap, Vietnam
1999	present	Housewife		Honolulu, Hawaii

(If additional space is needed, please use reverse side)

List your experience in the liquor industry: none

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C.C. OF HONOLULU

2020 JAN 14 PM 2:23

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, Kim Lien Tran

of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have/ ☒ have not) been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

SS.

On this 4th day of December in the year of 2020, personally appeared Kim Lien Tran

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Stacy P. Viyavong
Signature of Applicant(s) before Notary

Subscribed and sworn to before me this:

4th day of December, 2020

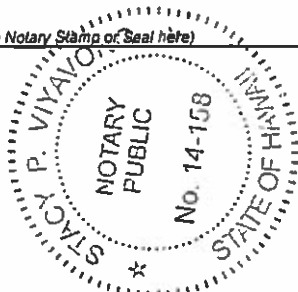
Stacy P. Viyavong
Signature of Notary

Print Name: Stacy P. Viyavong

Notary Public, State of Hawaii

My commission expires 05-04-2022

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: Undated # of Pages: 2

Notary Name: Stacy P. Viyavong First Circuit

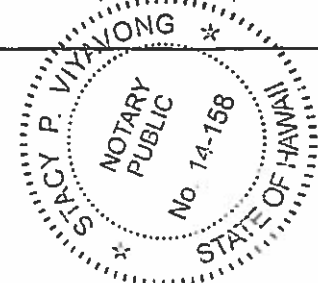
Doc. Description: Personal History and Affidavit

Stacy P. Viyavong 12.4.2023

Notary Signature

Date

(Place Notary Stamp or Seal here)

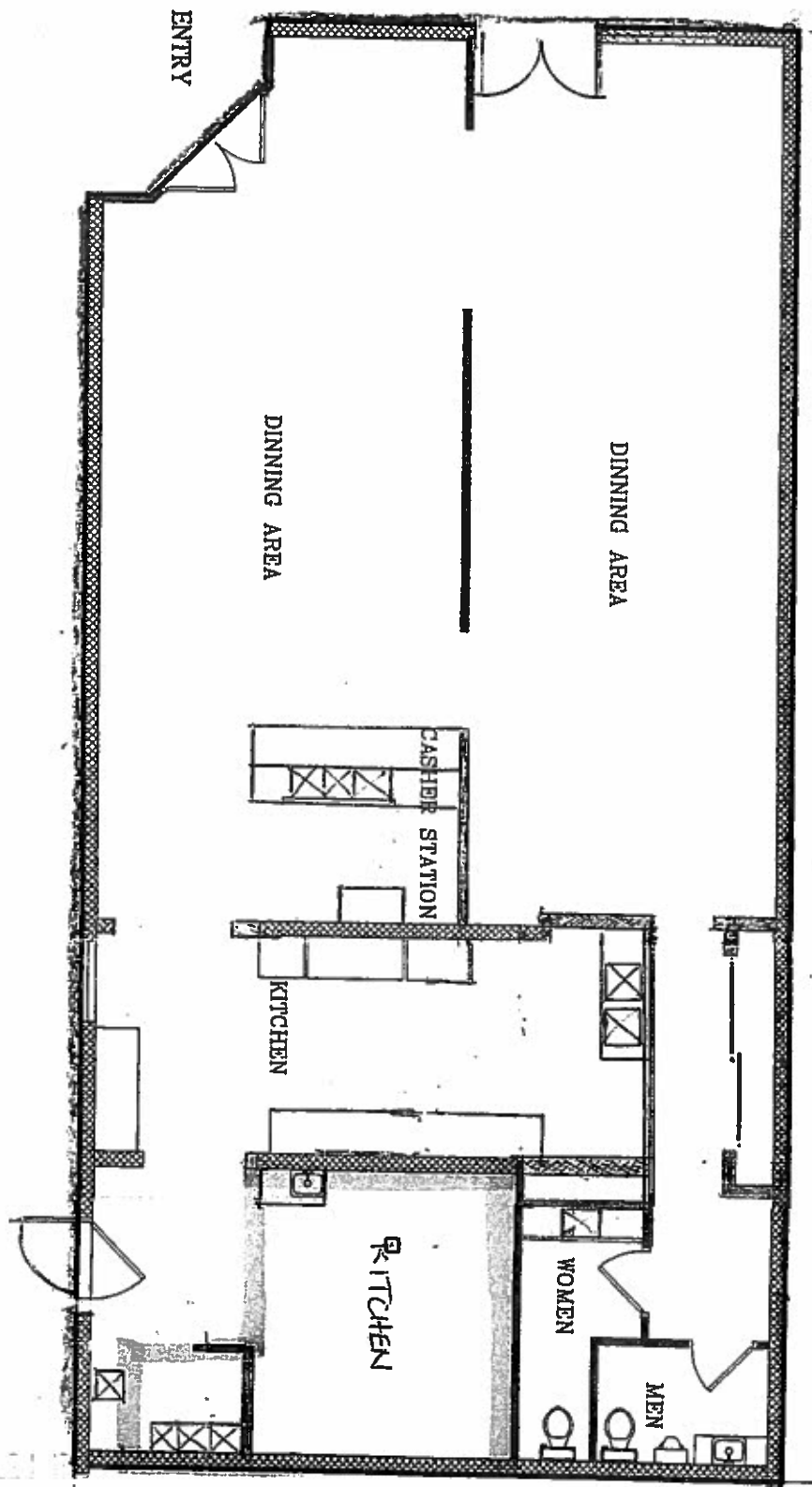


RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2009 JUN -4 P 4:34



EXHIBIT B1

Hotel St.
1/8" = 1'



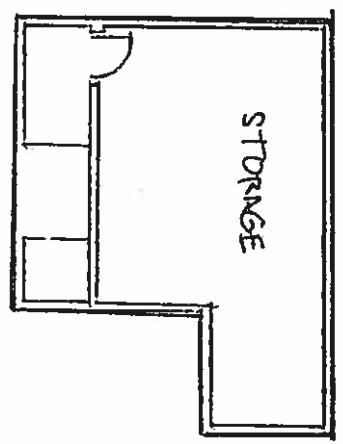
MEZZA LINE

MEZZA
KITCHEN
MEN
WOMEN

SMITH ST
EXHIBIT B2

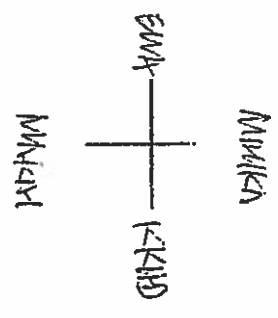
PHO VIETNAM INC.
52 N. HOTEL ST 113/114
RECEIVED
FEDERAL COMMISSION
JAN 13 1974

17'



MEZZANINE

SMITH ST.



HOTEL ST.

EXHIBIT B2

1/8" = 1'

HISTORY OF VIOLATIONS

Violation Date: 02/16/2015 to: 02/16/2021

LICENSE: R1160

CHARM 3
52 N. HOTEL ST, SUITES 113/114

<u>NOTICETYPE</u>	<u>NOTICE NUMBER</u>	<u>VIOLATION DATE</u>	<u>SECTION/RULE</u>	<u>CASE NUMBER</u>	<u>DISPOSITION</u>	<u>DUE DATE</u>	<u>AMOUNT FINED</u>
WARNING	27976	11/19/2020	281-38				*
VIOLATION	27742	09/25/2020	281-38	2020-0224	FINED	02/09/2021	500.00 *
WARNING	27743	09/25/2020	3-82-38.4(a)				*
VIOLATION	02066	08/05/2020	3-81-17.54(c)	2020-0191	FINED	12/17/2020	75.00 *
VIOLATION	26843	07/06/2019	3-82-38.20(b)	2019-0239			
VIOLATION	26844	07/06/2019	3-84-72.2	2019-0239			
VIOLATION	25890	05/26/2018	3-82-47.1(a)	2018-0239			
VIOLATION	25729	10/29/2017	3-82-31.2(a)				
WARNING	25730	10/29/2017	3-82-38.4(a)	2017-0302	FINED	01/10/2019	500.00 *

Records printed: 9

EXHIBIT C

Printed: 02/16/2021

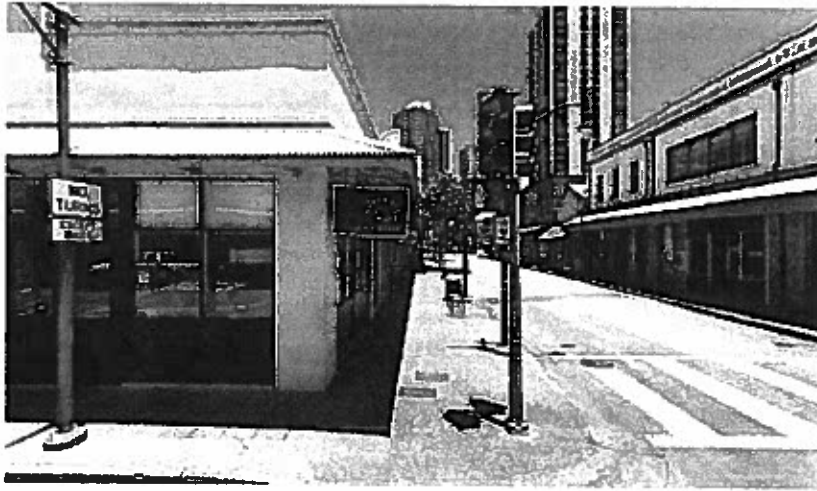
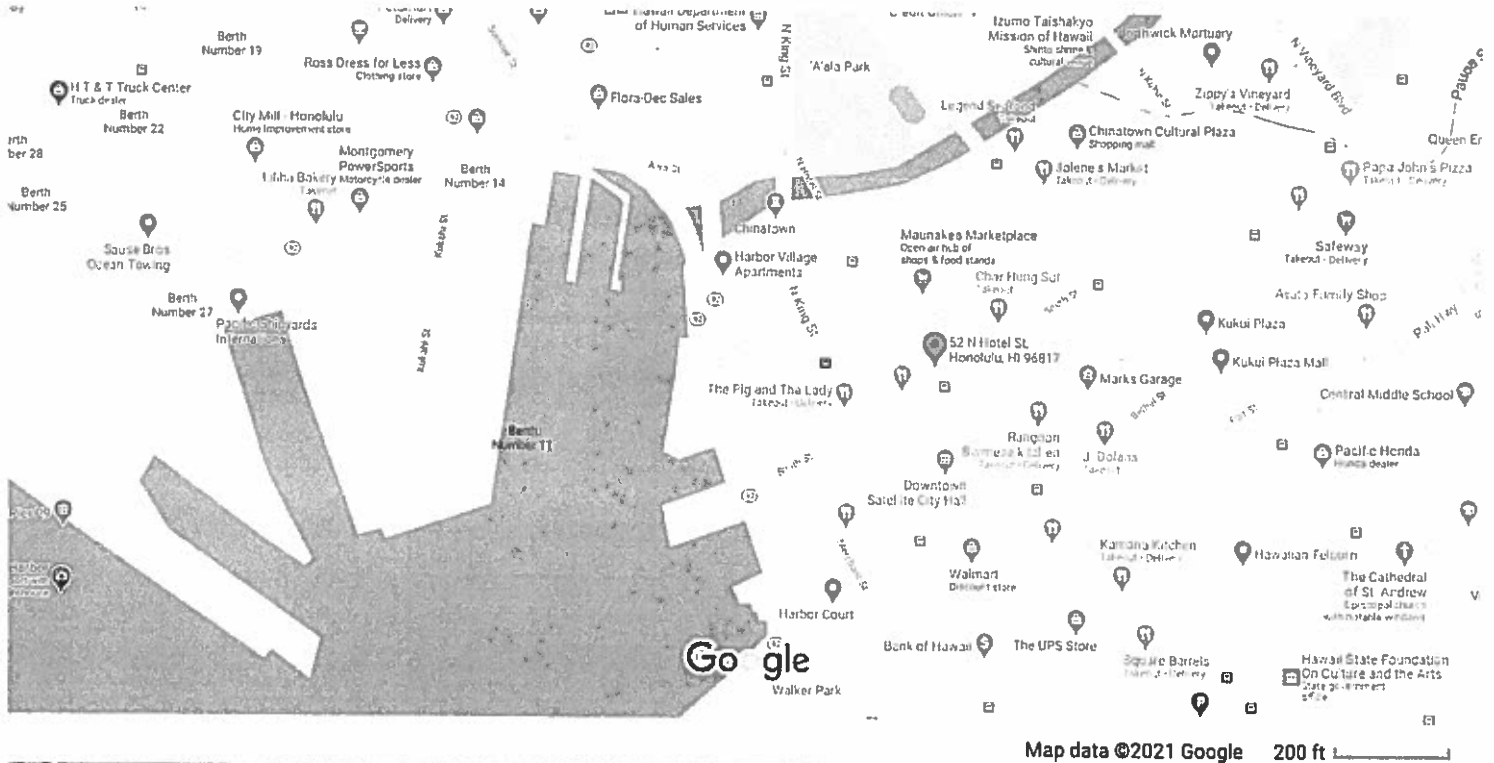
4:06PM

* - Denotes fine paid

CA: m.mn - Denotes amount of fine collected by collection agency

Page: 1

Google Maps 52 N Hotel St



52 N Hotel St

Honolulu, HI 96817



Directions



Save



Nearby



Send to your
phone



Share

Photos

LICENSING INVESTIGATIVE REPORT

DATE: February 18, 2021

SUBJECT: New Application No. 21-21997 from Chinatown Coven LLC dba Proof Social Club for a (Dispenser General Category 3: Music/ Dancing) at the former location of Ground Level LLC dba Proof Public House
Located at 1154 Fort Street Mall, Suite 10 Honolulu, HI 96813

COMPANY STRUCTURE:

Chinatown Coven LLC: Organized under the laws of the State of Hawaii on November 22, 2019. As a Member-Managed limited liability company. The Members are as follow:

		<u>Interest</u>
Jasmine Mancos	Member	33 1/3
Joshua Mongan	Member	33 1/3
<u>Napua Camarillo</u>	<u>Member</u>	<u>33 1/3</u>
		100%

According to an Add or Delete Members/ Managers/ Partners for LLC, Partnership or Unincorporated Association form, dated February 8, 2021, submitted by Wayne Luke, Authorized agent, the applicant is requesting/ notifying the Commission of the **removal of Napua Camarillo (Member)** effective as of February 4, 2021 and **Joshua Morgan (Member)** effective as of February 5, 2021.

Changes are in **Bold**. The new company structure will be as follows:

		<u>Interest</u>
<u>Jasmine Mancos</u>	<u>Member</u>	<u>100%</u>
		100%

See **Exhibit A** for Personal History Affidavit.

FINGERPRINTS:

Jasmine Mancos was fingerprinted on July 14, 2020, CJIS computer checks and HCJDC/ FBI Checks show negative for felony convictions.

FINANCIAL STATEMENT FOR CHINATOWN COVEN LLC, AS OF JUNE 30, 2020:

Applicant submitted a Financial Statement dated July 4, 2020, and received by the Commission July 6, 2020, and was certified by the applicant to be substantially covered

COST AND FINANCING:

According to the Wayne Luke, Authorized agent, the applicant bought the business "As is" and will self-finance the business.

TRADE NAME:

The applicant has filed with the State of Hawaii Department of Commerce and Consumer Affairs, Form T-1, Application for Registration of Trade Name. The name "Proof Social Club" is registered to the applicant from February 12, 2020 till February 11, 2025.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is located at 1154 Fort Street Mall, Suite 10 Honolulu, HI 96813, former location of Ground Level LLC dba Proof Public House (E1493/ License Status "Not Renewed" as of June 30, 2020).

- Approximately 1912 square feet on the ground floor and approximately 362 square feet on the mezzanine.
- Outside area immediately outside of the entrance is proposed to be licensed, approximately 167 square feet
- Restrooms are located within the proposed premises
- Applicant has sound-proofing measures in place
- There will be no dance floor, applicant does not intend to have dancing.

See **Exhibit B** for floor plan.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Dr. Sun Yat-Sen Memorial Park, approximately 356 feet from the proposed premises.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET
CONTINUED:

Kamalii Mini Park, approximately 390 feet from the proposed premises.

Smith – Beretaina Urban Park, approximately 445 feet from the proposed premises.

Cathedral Basilica of Our Lady of Peace, approximately 125 feet from the proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET:

Hawaii Theatre Center
dba Hawaii Theatre Center (E1464)
1130 Bethel Street Honolulu, HI 96813
Approximately 188 feet from the proposed premises

Pitchers LLC
dba Bar Elixers (E1574)
1153 Bethel Street Honolulu, HI 96813
Approximately 42 feet from the proposed premises

Scarlet Honolulu, Inc.
dba Scarlet Honolulu, Inc. (E1407)
80 S. Pauahi Street Honolulu, HI 96813
Approximately 96 feet from the proposed premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND
COUNTY OF HONOLULU:

As of February 18, 2021, there are 218 Dispenser licenses issued within the City and County of Honolulu, of which 213 licenses are General/ kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT
ISSUANCE OF THE LICENSE:

Kind of Business:

- Restaurant featuring pizza, salads and sandwiches

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT
ISSUANCE OF THE LICENSE CONTINUED:

- Hours of Operation:
 - Daily 4:00pm to 10:00pm (Hours during COVID restrictions)
 - Once restrictions lift applicant intends to operate until 2:00am
 - Possibly expand hours to include lunch (opening at 11:00am)
- Currently there are 7 employees; 3 front house managers, and 2 kitchen managers.
- Applicant requesting a Category 3 - Music, Dispenser license
 - (Post COVID) applicant is planning on acoustic performances occasionally, once or twice a month.
 - (Post COVID) Per applicant, Entertainers would be positioned at tables during happy hour only (4:00pm till 6:00pm).
 - Applicant does not intend to have dancing

Commercial Rental Agreement:

On June 30, 2020, KAPL OR WB LLC (Landlord) and Chinatown Coven LLC (Tenant) entered into this agreement and was effective July 1, 2020. The term of this agreement is month-to-month, commencing on July 1, 2020.

The applicant is authorized to use the premises for restaurant use and alcohol sales.

NOISE IMPACT EVALUATION:

The applicant intends to have entertainers perform within the proposed premises approximately 39 feet from a large sliding window on the Chaplain Lane facing wall to the left of the main entrance. Sound proofing panels will be installed at various areas along the ceiling to assist in suppressing the noise from the entertainment.

In my opinion the potential of premises to adequately contain noise is **"Fair"**.

See Exhibit C, Noise Impact Evaluation.

ZONING CLEARANCE:

Zoning clearance must be submitted prior to issuance of liquor license.

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:

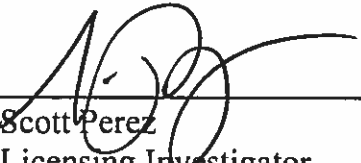
As of February 18, 2021, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.


OPINION:

Statutory requirements of this application have been met.



Scott Perez
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Investigator *Wslahm*
ch

**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/lic

RECEIVED
LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU

2020 JUL -6 A 11: 20

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME Mancos Jasmine Elizabeth n/a SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
CITY _____ STATE _____ ZIP CODE _____ HOME _____
BUS. 808 537-3080
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS Single
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 2007 NAME OF SCHOOL Milford High School, Highland MI
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED 2011 NAME OF COLLEGE University of Michigan, Ann Arbor, MI
(Include City and State)
OTHER EDUCATION Universidad de Sevilla, January 2009 - May 2010 - May 2010
CITIZENSHIP* USA DATE ARRIVED IN HAWAII (if applicable) January 2012
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
5/2011	1/2012	Server	Skybox Sports Grill	Highland, MI
1/2012	3/2012	Server/bartender	Soul de Cuba Cafe	Honolulu, HI
2/2012	1/2016	bartender/manager	Downbeat Diner	Honolulu, HI
3/2012	12/2013	Server	Murphy's Bar + Grill	Honolulu, HI
1/2016	5/2016	Clerk	HI State House of Representatives	Honolulu, HI
5/2016	5/2017	bartender/manager	Proof Public House	Honolulu, HI
6/2017	9/2017	bartender	Mikette Bistrp	Ann Arbor, MI
9/2017	1/2019	assistant bar manager	Nest End Grill	Ann Arbor, MI
8/2017	1/2019	bartender	Haymaker Public House	Ann Arbor, MI
1/2019	5/2019	bartender	Sava's	Ann Arbor, MI
8/2019	12/2019	lead counselor	Goodwill HI	Honolulu, HI
5/2019	present	bartender/General Manager	Proof Public House	Honolulu, HI

(If additional space is needed, please use reverse side)

[Signature]

List your experience in the liquor industry: I have been working in bars + restaurants for nearly 15 years. I have managed several restaurants both here in Honolulu + on the mainland. As a bartender + server, I have become familiar with + comfortable enforcing all liquor laws + regulations. As a manager, I have gained extensive experience training + familiarizing staff with the importance of observing + enforcing liquor laws + regulations.

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

Jasmine Mancos

_____, of _____
(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☒ have/ ☒ have not) been convicted of any felony charge.

JEM
Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 16th day of Jan, in the year of 2020, personally appeared Jasmine Mancos who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the

Jasmine Mancos
Signature of applicant(s) before Notary

Subscribed and sworn to before me this:
16th day of January, 20 20

Fabian Susuico
Signature of Notary

Print Name: Fabian Susuico
Notary Public, State of Hawaii

My commission expires 03/15/2023

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

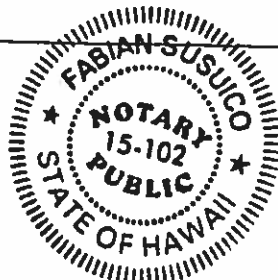
Date of Doc: 1/16/20 # of Pages: 2

Notary Name: Fabian Susuico Circuit: 1

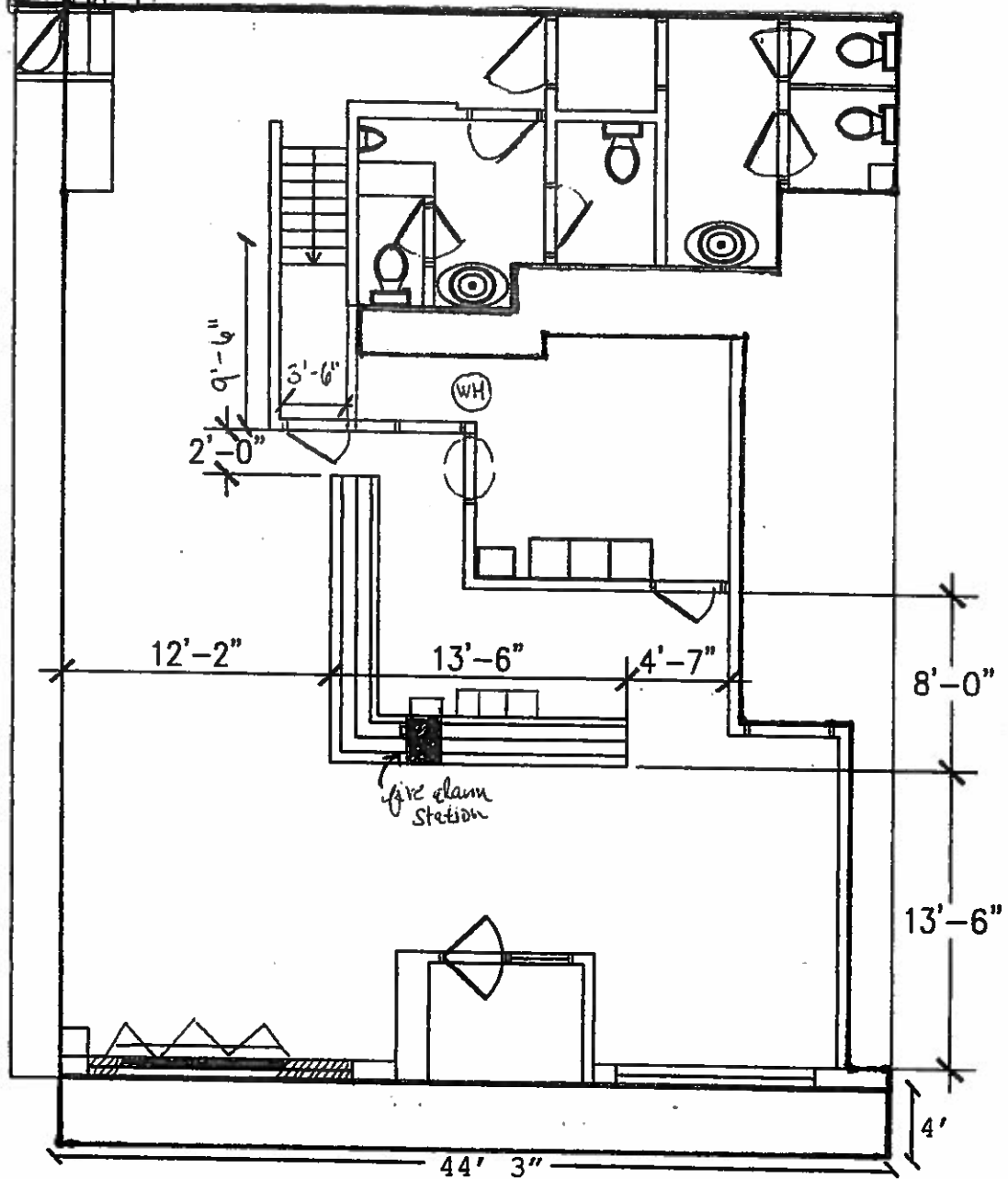
Doc. Description: Personal History and Affidavit

Fabian Susuico
Notary Signature Date: 1/16/2020

(Place Notary Stamp or Seal here)



2021 FEB 16 AM 10:57



PROOF FLOOR PLAN - GROUND LEVEL

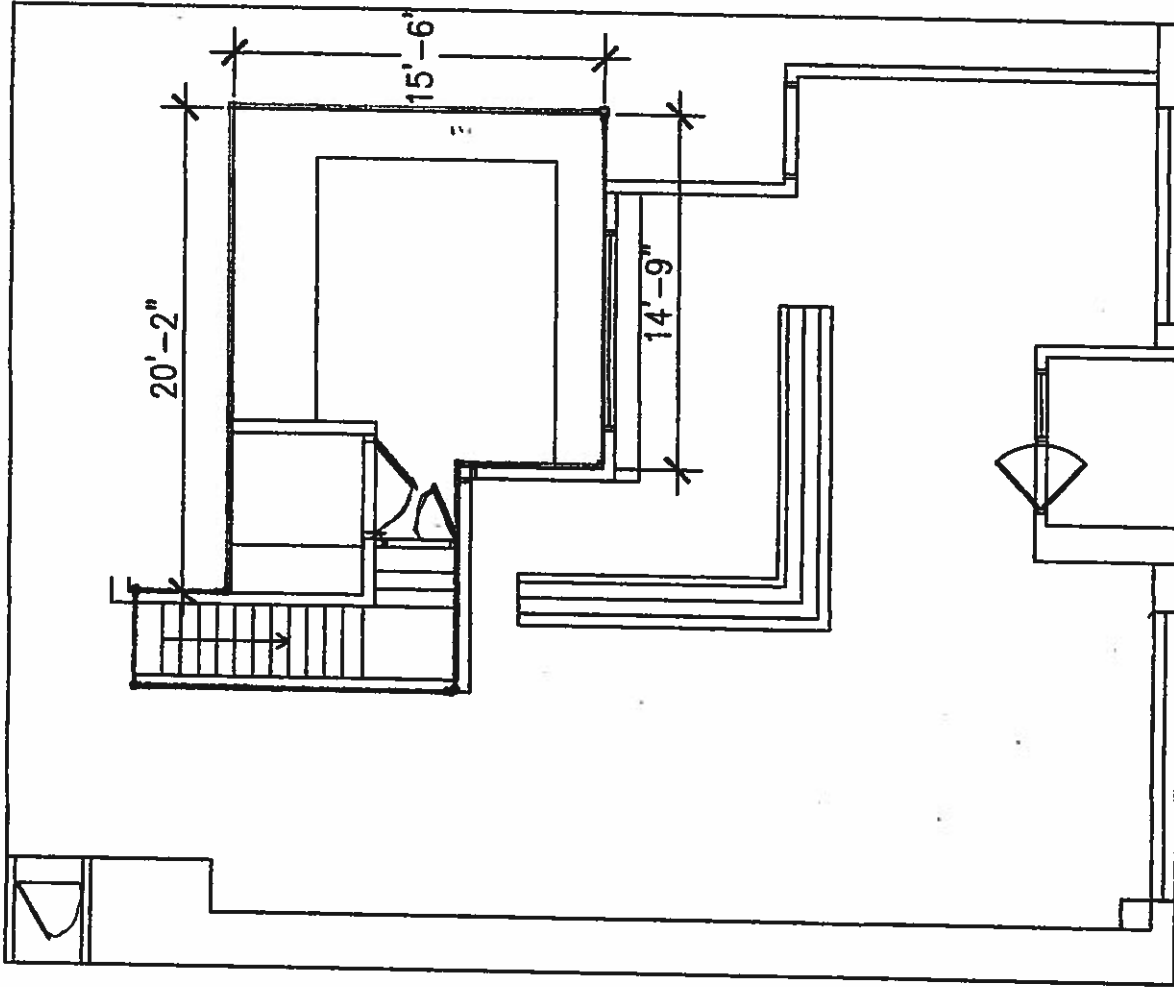
SCALE: 1/8" = 1' - 0"

Proof Social Club
1154 Fort Street Mall, Honolulu, HI 96813

DATE: 2-9-21

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LIQUOR COMMISSION
C&C OF HONOLULU

2021 FEB 16 AM 10:57



Proof Floor Plan — **LOFT AREA**
SCALE: 1/8" = 1' - 0"

DATE: 2-9-21

PROJECT:
Proof Social Club
1154 Fort Street Mall, Honolulu, HI 96813

EXHIBIT B

NOISE IMPACT EVALUATION

PREMISES: Pearl Social Club LIC. NO. _____

ADDRESS: 1154 Fort Street Mall, Suite 10 Honolulu, HI 96813

DATE: 29 Jan 2021

W/IN 500 FT. _____

W/IN 100 FT. _____

TOTAL NO. OF OWNERS/LESSEES OF RECORD _____

TOTAL NO. OF CONDOMINIUMS _____

TOTAL NO. OF COOPERATIVE APT. OWNERS _____

ZONING DESCRIPTION Bmx-4 (Central Business Mixed Use)
(Residential, Commercial, etc.)

STRUCTURAL DESCRIPTION OF LICENSED PREMISES:

WALLS: HOL. TILE ☒ MASONRY _____ WOOD _____ GLASS _____

GYPSUM _____ OTHER _____

APPROXIMATE PERCENTAGE OF WINDOW SPACE 10%

DOUBLE DOORS (inner & outer): YES _____ NO ☒

UNENCLOSED SECTION(S) OF PREMISES (lanai, courtyard, etc.):

AIR-CONDITIONED: YES ☒ NO _____

POTENTIAL OF PREMISES TO ADEQUATELY CONTAIN NOISE:
POOR _____ FAIR ☒ GOOD _____

REMARKS: Per Applicant entrance will perform in area approximately 39 feet from entrance/windows. Sound proofing installed within proposed premises.

INVESTIGATOR Per Scott #11

{NOTE: EVALUATION IS NOT BASED ON TECHNICAL QUALIFICATIONS OF THE INVESTIGATOR, AND NO CLAIM TO THE CONTRARY IS MADE OR IMPLIED.}

Google Maps

1154 Fort Street Mall #10

Chinatown Coven LLC dba Proof Social Club



Imagery ©2020 Google, Imagery ©2020 CyberCity 3D, Inc. / 3D Travel Inc., Maxar Technologies, U.S. Geological Survey, USGS, Map data ©2020 100 ft

LICENSING INVESTIGATIVE REPORT

DATE: February 24, 2021

SUBJECT: New Application No. 21-22149 from Wayward Somm LLC, dba
The Sommelier's Box, Retail General license, located at 841 Bishop
Street, Unit 121, Honolulu

COMPANY STRUCTURE:

WAYWARD SOMM LLC: was organized under the laws of the State of
Hawaii on May 20, 2020, as a member-managed limited liability company.

The sole member is:

		<u>Percent</u>
Aubrey Wood	Member	100%

See **Exhibit A** for more information. CJIS Computer System checks were
negative.

FINGERPRINTS:

Fingerprinting is pending.

FINANCIAL STATEMENT OF WAYWARD SOMM LLC AS OF JULY 24, 2020:

Financial Statement dated August 4, 2020, was submitted to the Commission
and certified by the applicant to be substantially correct, as of July 24, 2020.

COST AND FINANCING:

The applicant advised that the start-up cost for the retail will be
approximately \$200.00 for packaging materials and approximately \$3000.00
for inventory for first months shipping. The fixed cost are \$1000.00
primarily for the lease rent.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is reported to be located at 841 Bishop Street, Unit 121, Honolulu.

- The size of the proposed area is approximately 20 feet by 13 feet (overall).
- Approximately 299 square feet.

See **EXHIBIT B** for floor plan.

Parking: There is a street parking and parking structure nearby.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

There are no churches, schools, or public playgrounds within 500 feet.

SAME CLASS OF LICENSE WITHIN 500 FEET:

LONGS DRUG STORES CALIFORNIA, L.L.C.
dba Longs Drugs #10295 (D1193)
841 Bishop Street, Suite 105/130/122
Approximately 100 feet from the proposed premises.

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of February 24, 2021, there are 524 Retail licenses issued within the City and County of Honolulu, of which 524 are of the General kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business:

- Applicant intends to operate a retail license that provides monthly subscription to wine box deliveries.
- Online concept- no displays, shelving, etc.
- No regular store hours where would be open to the public.
- Will operate from 6:00 a.m. till 12:00 a.m.
- Approximately 1 Employee. 1 Manager.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE (CONTINUED):

Lease: According to a document titled, "Davies Pacific Center Office Lease", Davies Pacific, LLC (Landlord) and Wayward Somm LLC (Tenant), dated June 25, 2020, the leased premises described as Suite 121.

According to the Davies Pacific Center Office Lease, section 1(j) Tenant's Use of the Demised Premises shall be for the following purpose and for no other purpose: **(General office and liquor storage)**. Tenant shall be allowed to hold an event, not to exceed once a month, for customers to pick up products previously ordered by customers, as provided for and subject to the conditions as set forth in section 7.1.

Section 7.1 states that the demised premises shall be used only for the purposes of "Tenant's Use" as set forth in section 1(j) hereof, and for no other purpose or purposes whatsoever. Additionally it states, without limiting the foregoing, except as expressly stated in section 1(j), tenant expressly acknowledges that the Demised Premises may not be used for classroom, medical (including cannabis related uses) or **retail use**. Tenant, at its sole cost and expense, shall obtain and maintain an Alcohol Beverage License and Direct Wine Shipper Permit as required by State of Hawaii, the County of Honolulu, and the City of Honolulu.

ISSUES WITH HAWAII REVISED STATUTES:

Issue #1. According to applicant's personal history and affidavit, Aubrey Wood is currently employed at Young's Market Company as a fine wine specialist. **Wood stated that he intends to remain employed as a sales representative with Young's Market Company should this retail license be approved.** He added that his duties with the Wholesaler is presenting the products to the accounts in an effort to make a sale, placing orders for delivery and other general account maintenance. Woods stated that he has no managerial role or responsibility for pricing and discounting of products.

Young's Market Company, exercises a Wholesale General Liquor License #C0004.

ISSUES WITH HAWAII REVISED STATUTES (CONTINUED):

Issue #1 HRS. Pursuant to Hawaii Revised Statutes §281-1 Definitions "Licensee" includes also all agents, servants, and **employees of the holder of a license.**

"Retail licensee" means any licensee holding a class 2, class 4 through class 16, or class 18 license.

"Seller" includes the agents and employees of a seller; provided that any person shall be deemed to be a seller, who in the State, whether acting as agent or representative of a nonresident principal or otherwise, solicits the placing of or takes, receives, or forwards orders for liquor to be shipped into the State from any place without the State to be delivered to customers, by direct shipment or otherwise.

§281-42 Manufacturers and **wholesale dealers, special restrictions.** (a) It shall be unlawful for any person holding a manufacturer's license or a wholesale dealer's license to induce the purchases of a retail licensee by:

(1) Acquiring or holding any interest in any license of a retail licensee;

(2) Acquiring any interest in the real or personal property owned, occupied, or used by a retail licensee in the conduct of its business, unless the holding of such interest is permitted under the regulations of the liquor commission or statement thereof has been filed with the commission and has not been disapproved by it;

(3) Furnishing, giving, renting, lending, or selling to a retail licensee any equipment, fixtures, signs, supplies, money, services or other thing of value, subject to the exceptions contained in Subpart D of the "tied house" regulations of the Bureau of Alcohol, Tobacco and Firearms of the United States Treasury Department, 27 Code of Federal Regulations Part 6 (1988) as the same may change from time to time;

Title 27 Alcohol Tobacco Products and Firearms, Chapter I, Subchapter A, Part 6 "Tied House"

§6.21 Application. Except as provided in subpart D, it is unlawful for any industry member to induce, directly or indirectly, any retailer to purchase any products from the industry member to the exclusion, in whole or in part, of such products sold or offered for sale by other persons in interstate or foreign commerce by any of the following means:

ISSUES WITH HAWAII REVISED STATUTES (CONTINUED):

**Title 27 Alcohol Tobacco Products and Firearms, Chapter I,
Subchapter A, Part 6 “Tied House”**

(a) By acquiring or holding (after the expiration of any license held at the time the FAA Act was enacted) **any interest in any license with respect to the premises of the retailer;**

(b) By acquiring any interest in the real or personal property owned, occupied, or used by the retailer in the conduct of his business;

(c) By furnishing, giving, renting, lending, or selling to the retailer, any equipment, fixtures, signs, supplies, money, services or other thing of value, subject to the exceptions contained in subpart D;

(d) By paying or crediting the retailer for any advertising, display, or distribution service;

§6.25 General. The act by an industry member of acquiring or holding any interest in any license (State, county or municipal) with respect to the premises of a retailer constitutes a means to induce within the meaning of the Act.

§6.26 Indirect interest. Industry member interest in retail licenses includes any interest acquired by corporate officials, partners, employees or other representatives of the industry member. Any interest in a retail license acquired by a separate corporation in which the industry member or its officials, hold ownership or are otherwise affiliated, is an interest in a retail license.

§6.27 Proprietary interest. (a) Complete ownership. Outright ownership of a retail business by an industry member is not an interest which may result in a violation of section 105(b)(1) of the Act.

(b) Partial ownership. Less than complete ownership of a retail business by an industry member constitutes an interest in a retail license within the meaning of the Act.

ISSUES WITH HAWAII REVISED STATUTES (CONTINUED):

Issue #2. Tenant's Use of the Demised Premises shall be for the following purpose and for no other purpose: **(General office and liquor storage)**. Tenant expressly acknowledges that the Demised Premises may not be used for classroom, medical (including cannabis related uses) or **retail use**. **Applicant will not have regular store hours where they would be open to the public.**

Issue #2 HRS. §281-20 General right of inspection. Any investigator may, at all times, without notice and without any search warrant or other legal process, visit and have immediate access to every part of the premises of every licensee for the purpose of making any examination or inspection thereof or inquiry into the books and records therein, to ascertain whether all of the conditions of the license and all provisions of this chapter and chapter 244D are being complied with by the licensee.

Issue #2- Rules of the Liquor Commission §3-82-36.1. Display of Prices in Retail Premises. **Every retail licensee shall display, within the liquor sales area of the licensed premises, a shelf price for, or price tags on each container or bottle of, each size of each brand of liquor sold.**

§3-82-36.2. Liquor on Retail Premises During Prohibited Sales Hours. If a retail dealer's licensed premises are open to the public during hours when the sale of liquor is not permitted, the licensee shall post signs in the area or areas where liquor sales are usually made, giving notice to customers that the sale of liquor is prohibited during that time.

SUMMARY OF ISSUES

Issue #1. Young's Market Company, exercises a Wholesale General Liquor License #C0004. The applicant's sole member (Aubrey Wood) intends to remain employed with the Wholesale licensee while operating the proposed retail license. Young's Market Company may be in violation of HRS 281-42 and Part 6 of the Federal "Tied House" Regulations.

Issue #2. According to the Davies Pacific Center Office Lease, section 1(j) Tenant's Use of the Demised Premises shall be for the following purpose and for no other purpose: (General office and liquor storage). It also appears to state that the proposed area may not be used for retail use.

SUMMARY OF ISSUES (CONTINUED):

Issue #2 (Continued) applicant will have online concept, described as no displays, shelving, etc. Also, no regular store hours where would be open to the public. It may cause an issue of HRS 281-20 General Right to Inspection, Rule §3-82-36.1. Display of Prices, and §3-82-36.2. Liquor on Retail Premises During Prohibited Sales Hours.

ZONING CLEARANCE:

An approved valid Department of Planning and Permitting zoning clearance dated August 7, 2020, has been received.

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

As of February 24, 2021, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

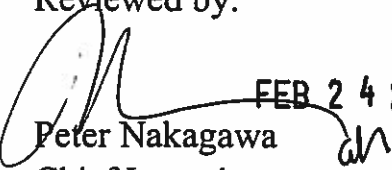
OPINION:

It is unclear if the applicant has met statutory requirements in this application based on the aforementioned issues as stated in this report.



Daniel Sato
Supervising Investigator

Reviewed by:



FEB 24 2021
Peter Nakagawa
Chief Investigator

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1-5-49 QUOR COMMISSION
C&C OF HONOLULU

2020 AUG -5 P 3: 53

Rule 3-83-53.1

CITIZENSHIP* U.S. Citizen DATE ARRIVED IN 01/20/2004
HAWAII (if applicable)
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

[illegible]

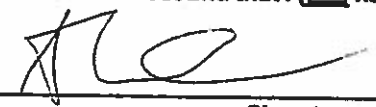
List your experience in the liquor industry: For the past 9+ years I have worked for Young's Market Company as a
Fine Wine Specialist, working closely with many retail and restaurant license holders. Prior to that I
worked at Le Bistro, a fine dining restaurant that served wine, beer and spirits

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LIQUOR COMMISSION
C&C OF HONOLULU
2020 AUG -5 P 3:53

Will you devote time to manage the subject business? ☒ Yes ☐ No
If answer is "YES", will it be ☐ Full time, or ☒ Part-time?

I, Aubrey Wood, of _____
(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have/ ☒ have not) been convicted of any felony charge.

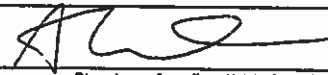
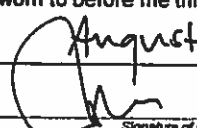

Signature

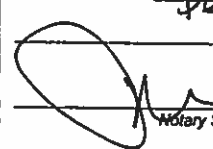


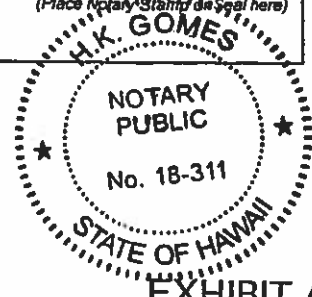
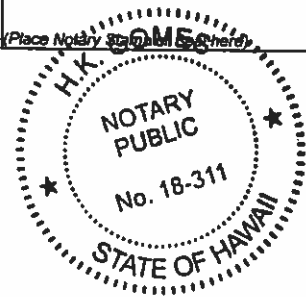
FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu } SS.

On this 5th day of August, in the year of 2020, personally appeared Aubrey Freeman Wood
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

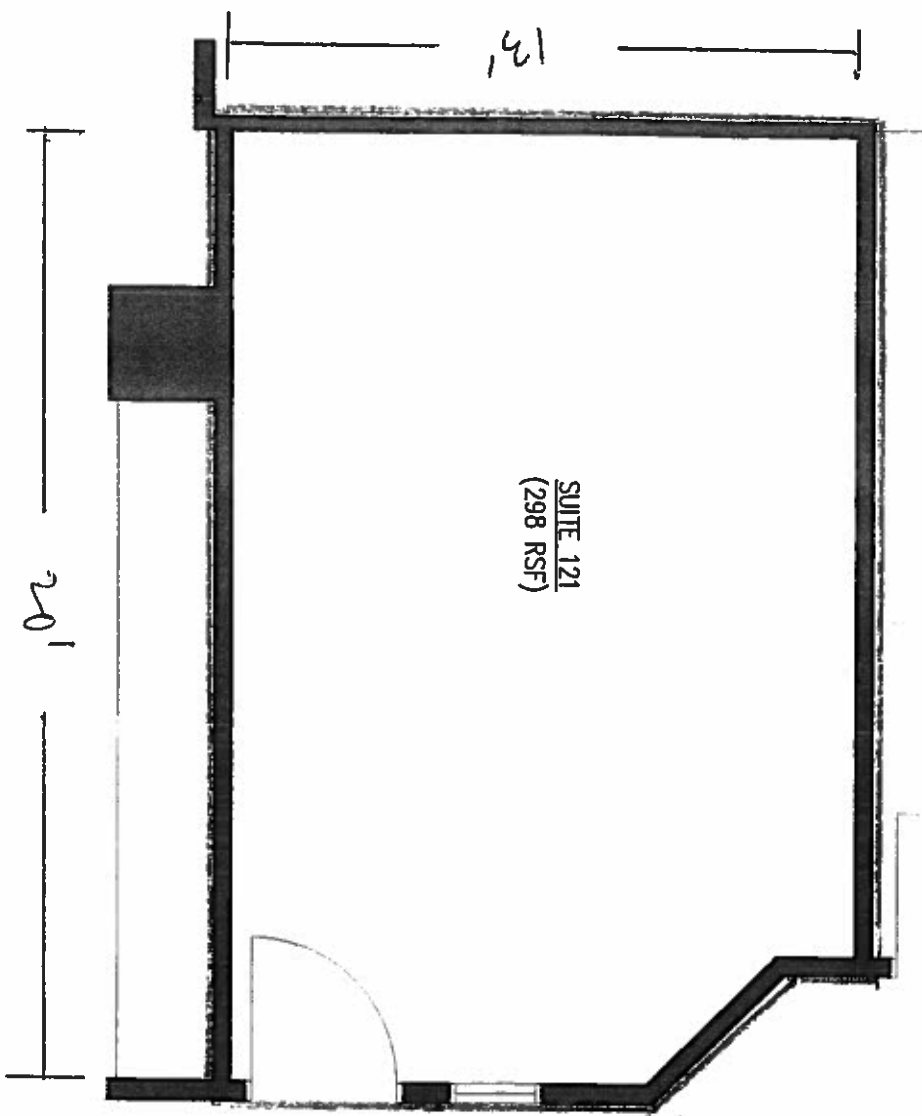

Signature of applicant(s) before Notary
Subscribed and sworn to before me this:
5th day of August, 2020

Signature of Notary
Print Name: H.K. Gomes
Notary Public, State of Hawaii
My commission expires 6/24/2022

NOTARY CERTIFICATION
Date of Doc: 8/5/2020 # of Pages: 2
Notary Name: H.K. Gomes 14 Circuit
Doc. Description: Personal history by
APR unit

Notary Signature
8/5/2020
Date
(Place Notary Seal and Signature here)



DAVIES PACIFIC CENTER

841 BISHOP STREET, HONOLULU HI 96813



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2020 AUG -5 P 3:54

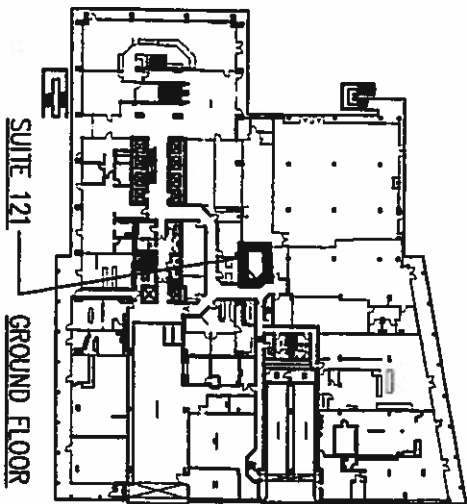
EXHIBIT B.

C3PRE

FLOOR PLAN - SUITE 121

SCALE: 1/4" = 1'-0"

8/21/18



Google Maps 841 Bishop St



LICENSING INVESTIGATIVE REPORT

DATE: February 22, 2021

SUBJECT: Miscellaneous Request No. 21-22838 from Murphy's Inc., dba Murphy's Bar & Grill, located at 2 Merchant Street, Honolulu, requesting Commission approval to extend the licensed premises temporarily on: March 15, 2021, to November 30, 2021, from 6:00 a.m. till 11:59 p.m. (daily) (R0887)

DESCRIPTION OF THE CURRENTLY LICENSED PREMISES:

The current licensed area is located at 2 Merchant Street, Honolulu, in a commercial building. The premises is irregularly shaped and is approximately 62 feet by 68 feet overall in size. See Exhibit A for further details.

TEMPORARY EXTENSION REQUESTED:

On HLC Form LIQ-LIC-127 (Request for Approval of Extensions/Deletions of Premises, dated February 17, 2021, and received by the Commission on the same day, Donald Murphy, Principal, requests prior approval for temporary extension of premises.

March 15, 2021, to November 30, 2021, from 6:00 a.m. till 11:59 p.m. (daily)

REASON FOR REQUEST:

The licensee is requesting additional seating area due to COVID-19 spacing guidelines.

Alcoholic beverages will be served in the extended area.

LANDLORD'S CONSENT:

On HLC Form LIQ-LIC-128 (Landlord Authorization for Extension of Licensed Premises, dated February 17, 2021, and received by the Commission, Linda Nakagawa, authorized agent of Linda Nakagawa Wu Family Limited Partnership (Landlord) confirms approval of the licensee's request to use additional space in connection with its premises.

REDEFINED LICENSED PREMISES:

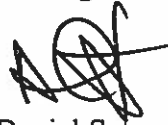
On the aforementioned dates, the current licensed premises will remain licensed if this request is granted.

REDEFINED LICENSED PREMISES

In addition to the licensed premises, the extended area will be a commercial space adjacent to the licensed premises. There will be a cut-out passage on the Eastside of the current licensed premises to the requested commercial space, approximately 25 feet and 59 feet overall. See **Exhibit B**.



OPINION:

The licensee has met statutory requirements of filing this request.



Daniel Sato
Supervising Investigator

REVIEWED BY:

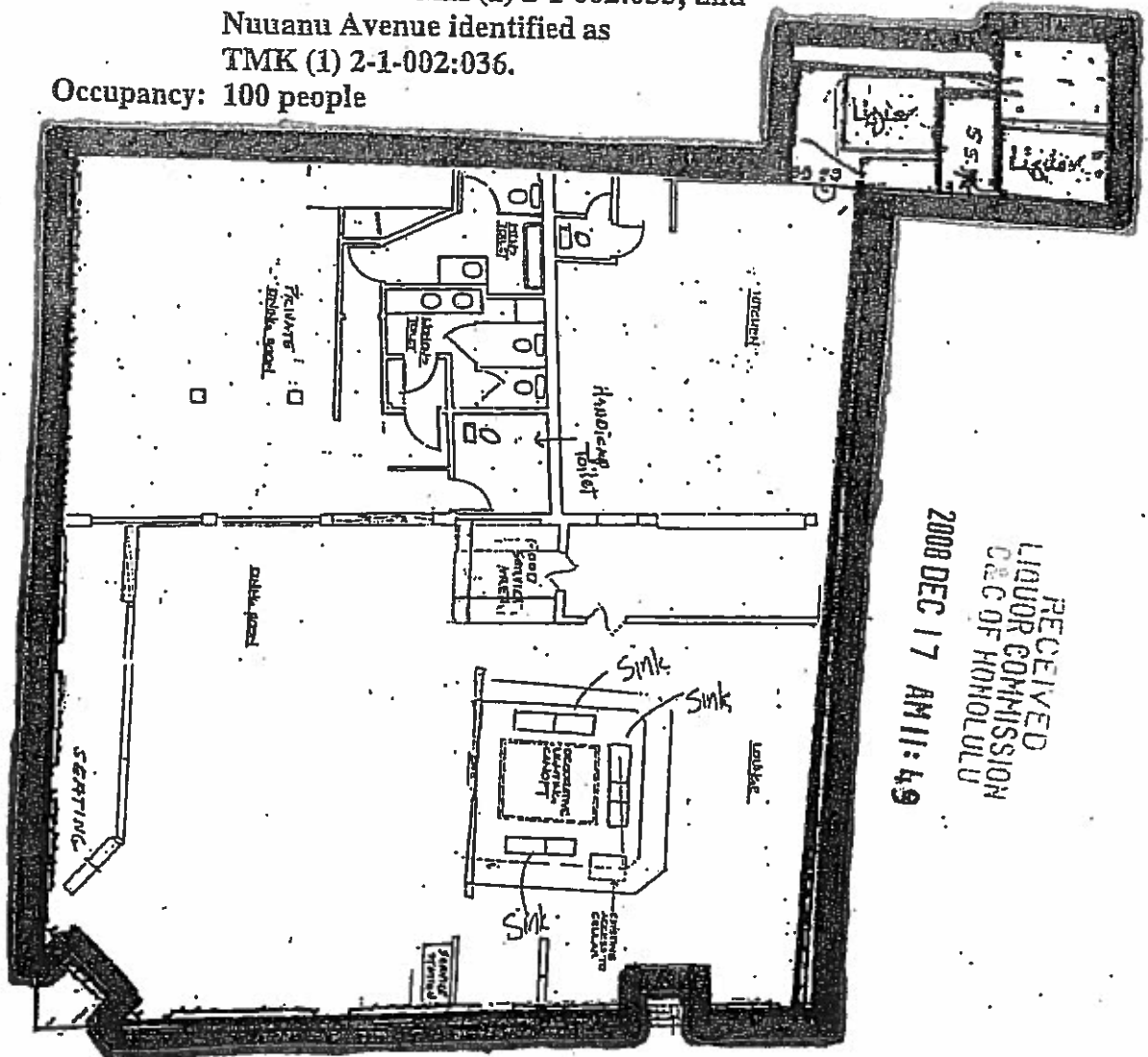


Peter Nakagawa
Chief Investigator

GH

MURPHY'S INC.
FLOOR PLAN TO SCALE

Address: 2 Merchant Street, Honolulu, Hawaii 96813
identified as TMK (1) 2-1-002:035; and
Nuuanu Avenue identified as
TMK (1) 2-1-002:036.
Occupancy: 100 people



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LIQUOR COMMISSION
C.C.C. OF HONOLULU
2008 DEC 17 AM 11:49

MAKA
BWA ——— KTH
MAKAI

Scale: 1/16 inch = 1 foot

**PRELIMINARY
LIQUOR DISPENSER
PLAN APPROVAL**

Date 12-4-07

By [Signature]

SANITATION BRANCH
DEPARTMENT OF HEALTH

EXHIBIT A

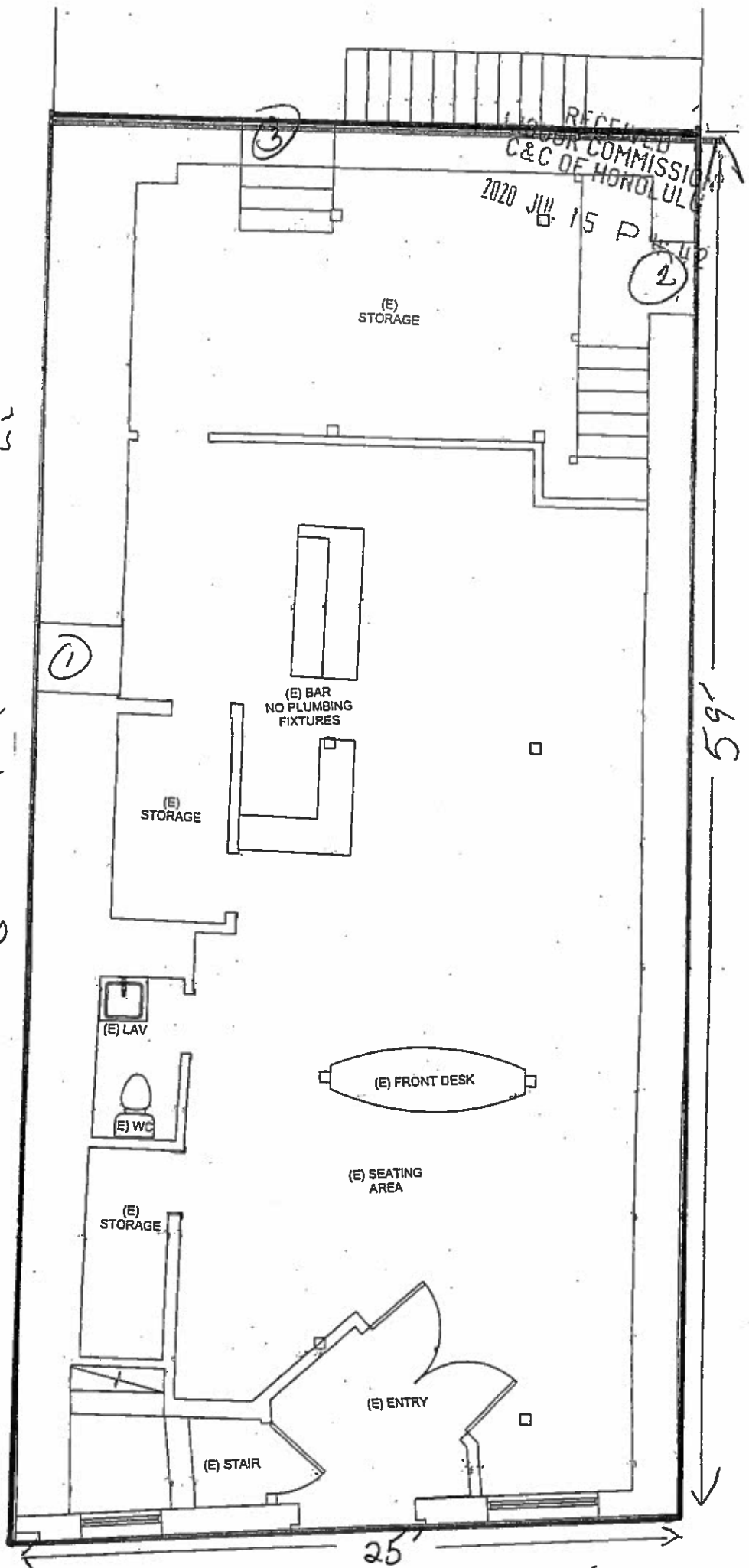
5 MERCHANT ST
NEXT TO MURPHY'S

① PASS THRU FOR
FOOD/BEVERAGE

② DOORWAY TO
OUTSIDE COURTYARD

③ REAR EXIT

EXHIBIT B



Handwritten signature

MERCHANT ST.

2 Merchant St



Imagery ©2021 Google, Imagery ©2021 CyberCity 3D, Inc. / 3D Travel Inc., Maxar Technologies, U.S. Geological Survey, USGS, Map data ©2021 100 ft

LICENSING INVESTIGATIVE REPORT

DATE: February 23, 2021

SUBJECT: Miscellaneous Request No. 21-22854 from Ferguson's Irish Pub LLC, dba Ferguson's Irish Pub, Dispenser General (Category 1-Standard) license, 729 Bishop Street, Honolulu, requesting Commission approval to extend the licensed premises temporarily from March 15, 2021, to March 14, 2022, 11:00 a.m. to 12:00 a.m. (midnight) (E0120)

DESCRIPTION OF THE CURRENTLY LICENSED PREMISES:

The premise in the Pacific Guardian Center is 16 feet by 50 feet.

TEMPORARY EXTENSION REQUESTED:

On HLC Form LIQ-LIC-127, submitted to the Commission, dated February 17, 2021, and received February 22, 2021, Don Murphy, principal of the licensee company, requests prior approval for temporary extensions of premises. The requested date and hours of operation will be from March 15, 2021, through March 14, 2022, 11:00 a.m. to 12:00 a.m. (midnight).

LANDLORD'S CONSENT:

On HLC Form LIQ-LIC-128, submitted to the Commission, dated February 17, 2021, received on the February 22, 2021, Madison Marquette, agent for Pacific Guardian Center, confirms approval of the licensee's request to use additional space outside of its premises. The landlord approves the extended increase for the duration in this request. Landlord reserves the right to revoke approval at any time.

REASON FOR REQUEST:

The licensee will use the added space for additional seating.

REDEFINED LICENSED PREMISES:

The current licensed premises will remain licensed if this request is granted.

In addition, space on the makai, kokohead, and ewa sides will be licensed. The licensed area will be approximately 90 feet by 63 feet overall. See Exhibit A.

STANDARD CATEGORY LICENSE:

The licensee has been reminded that it holds a Category 1-Standard license. Live entertainment and/or dancing are prohibited.

PROVISIONAL APPROVAL:

If granted, this approval will be until March 14, 2022, only. Additionally, the landlord has the right to terminate this consent.

PREVIOUS APPROVAL FOR TEMPORARY EXTENSION OF PREMISES:

The Commission has approved temporary extensions of the premises in the past. The previous approval expired.

SPECIAL CIRCUMSTANCES:

Licensee shall comply at all times with the Office of the Governor of the State of Hawaii Proclamations and the Office of the Mayor of the City and County of Honolulu Emergency Orders.


OPINION:

The licensee has met statutory requirements of filing this request.



Daniel Sato
Supervising Licensing Investigator

Reviewed By:

 2/25/22
ah

Peter Nakagawa
Chief Investigator

NIMITZ HWY.

RECEIVED
UNION COMMISSION
CITY OF HONOLULU

2-12

MAKAI TOWER

1,850 sq ft
0.0000
2,401 sq ft

DILLINGHAM
TRANSPORTATION
BUILDING

121'

AI AKFA STREET

2,703 sq ft

1,850 sq ft
0.0000
2,703 sq ft

MAUKA TOWER

QUEEN STREET

PLAZA + DTB ARCADE 1 + DTB ARCADE 2 + DTB LOBBY = 73,549 SQFT

EXHIBIT A



LICENSING INVESTIGATIVE REPORT

DATE: February 23, 2021

SUBJECT: Miscellaneous Request No. 21-22856 from PJ Honolulu, LLC, dba Tonkatsu Ginza Bairin, Restaurant General Category 2: Music/Dancing license, 255 Beachwalk, Unit 1, Honolulu, requesting Commission approval to extend the licensed premises temporarily on: March 4, 2021, 11:00 a.m. to July 31, 2021, 10:00 p.m. (R0832)

DESCRIPTION OF THE CURRENTLY LICENSED PREMISES:

The current licensed premises is located at 255 Beachwalk, Unit 1, Honolulu. The overall size of the premises is approximately 49 feet by 22 feet.

TEMPORARY EXTENSION REQUESTED:

On HLC Form LIQ-LIC-127 (Request for Approval of Extensions/Deletions of Premises, dated February 19, 2021, and received by the Commission on February 22, 2021, Yosuke Okajima, manager, requests prior approval for temporary extension of premises.

The licensee requested the start date of the temporary extension to be on March 1, 2021. This request requires Commission approval and Okajima was informed on February 23, 2021, that the start date of this request will be amended from March 1, 2021, to **March 4, 2021.**

The date and times of this request is March 4, 2021, to July 31, 2021, 11:00 a.m. to 10:00 p.m. (daily) with the exception of March 4, 2021, will be upon Commission approval should this request be granted.

REASON FOR REQUEST:

The licensee is requesting additional seating area due to COVID-19 spacing guidelines.

Alcoholic beverages will be served in the extended area.

LANDLORD'S CONSENT:

According to HLC Form LIQ-LIC-128 (Landlord Authorization for Extension of Licensed Premises, dated February 22, 2021, and received by the Commission on the same day, Ichiro Inamura, authorized agent of Wave, Inc., confirms approval of the licensee's request to use additional space in connection with its premises.

REDEFINED LICENSED PREMISES:

On the aforementioned date, the current licensed premises will remain licensed if this request is granted.

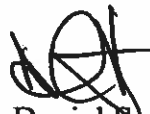
In addition to the licensed premises, the extended area will be into an adjacent space identified as unit 2. The proposed extended area is approximately 43 feet by 27 feet overall in size. See **Exhibit A**.

PREVIOUS APPROVAL FOR TEMPORARY EXTENSION OF PREMISES:

Applicant has not had any prior approvals of this type within two (2) years and no violations in connection of this type of request.

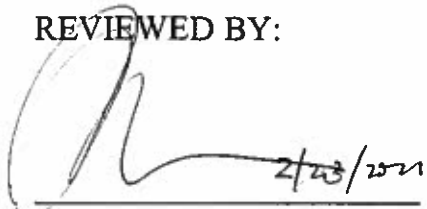
OPINION:

The licensee has met statutory requirements of filing this request.



Daniel Sato
Supervising Investigator

REVIEWED BY:



Peter Nakagawa
Chief Investigator *ah*

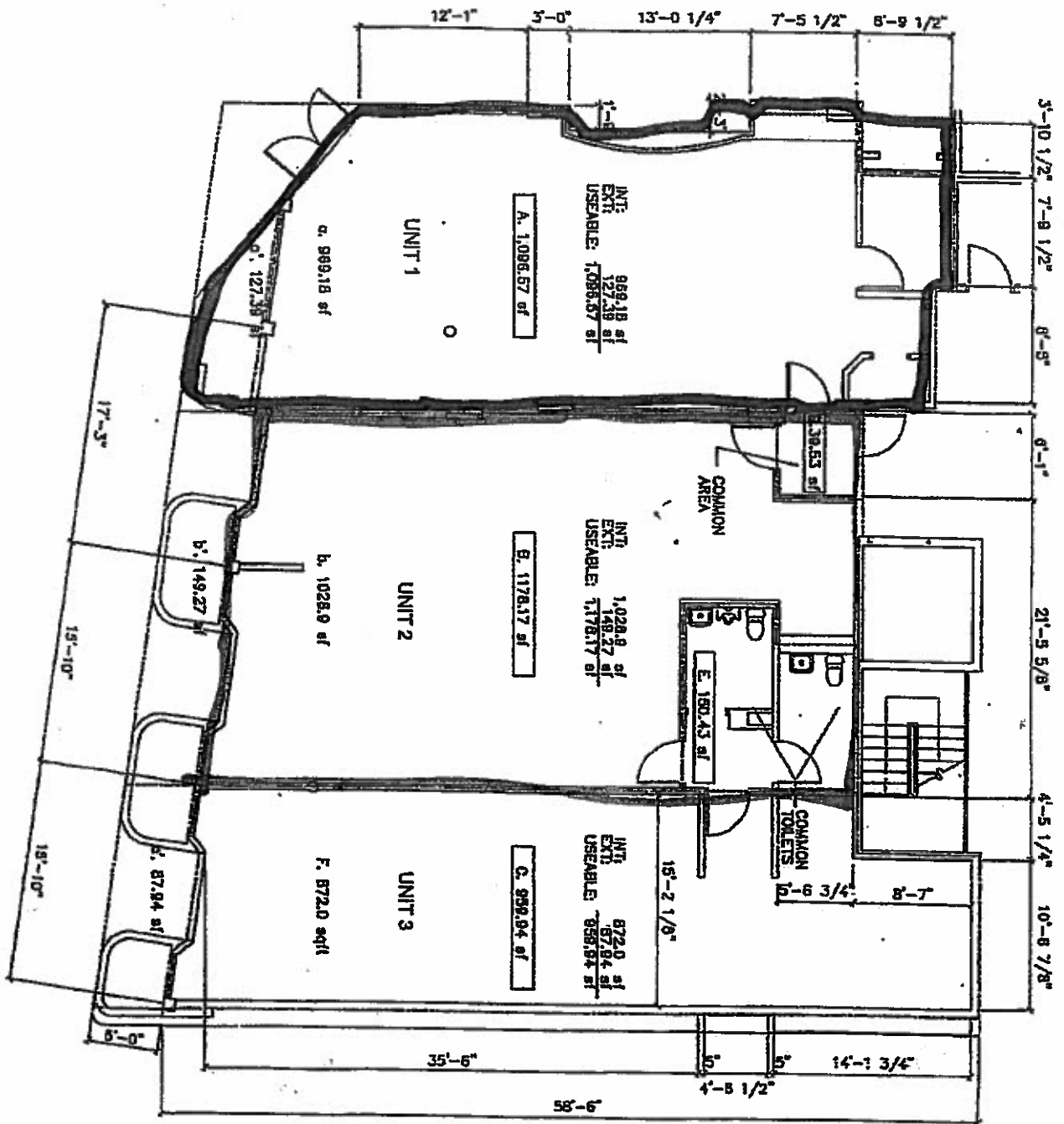


EXHIBIT B (New Proposed Floor Plan)

EXHIBIT A

255 Beach Walk



Imagery ©2021 Google, Imagery ©2021 CyberCity 3D, Inc. / 3D Travel Inc., Maxar Technologies, U.S. Geological Survey, USGS, Map data ©2021 Google 200 ft

LICENSING INVESTIGATIVE REPORT

DATE: February 25, 2021

SUBJECT: Miscellaneous Request No. 21-22861 from Windward Grill, Inc., dba Kailua Town Pub and Grill, located at 26 Hoolai Street, Kailua, requests permission to extend its licensed premises temporarily on Wednesday, March 17, 2021, 4:00 p.m. to 10:00 p.m. (E1497)

EXISTING LICENSED PREMISES:

Location: The proposed premises is located at 26 Hoolai Street, Kailua.

Details of premises: The premises is located in a single story structure at the above mentioned address. The current licensed premises is approximately 2,522 square feet. There is also a mezzanine within the licensed area.

TEMPORARY EXTENSION REQUESTED:

According to HLC Form LIQ-LIC-127, received by the Commission on February 22, 2021, Deborah Van Emmerik, of Windward Grill, Inc., requests for an approval of temporarily extend the licensed premises for their event on Wednesday, March 17, 2021, 4:00 p.m. to 10:00 p.m.

REASON FOR REQUEST:

To provide additional area for social distancing for guests attending.

DESCRIPTION OF EVENT:

The event is for St. Patrick's Day Event. The additional area is being utilized for social distancing.

Alcoholic beverages will be served in the extended area.

Additional information attached See **Exhibit A**.

REDEFINED LICENSED PREMISES:

The temporary extension will be from the dining room side door of the premises, extending approximately 50 feet from the side of the premises out toward Hoolai Street, into the parking stalls adjacent to the premises, extending it approximately 25 feet wide. See **Exhibit B** for further details.

PREVIOUS APPROVALS:

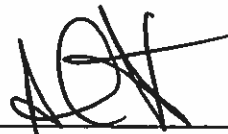
Previous approvals have been applied for in the past without any reported incidents.

LANDLORD CONSENT:

HLC Form LIQ-LIC-128 received on February 22, 2021, by the Commission, Alan Tamashiro, of Twenty First Technologies Corporation (Landlord) and acknowledges Windward Grill, Inc., dba Kailua Town Pub and Grill (Licensee), is allowed to temporarily extend area being requested Wednesday, March 17, 2021, 4:00 p.m. to 10:00 p.m.

OPINION:

In my opinion the licensee has met statutory requirements in the making filing of this request.



DANIEL SATO
SUPERVISING INVESTIGATOR

REVIEWED BY:



PETER NAKAGAWA
CHIEF INVESTIGATOR

FEB 22 2021

Sato, Daniel T

From: Deborah VanEmmerik <tropicksai@gmail.com>
Sent: Wednesday, February 24, 2021 10:58 AM
To: Sato, Daniel T
Subject: Re: Request of Extension 3/17/21

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Hello Mr Sato

1. The bagpipe players have not confirmed as of yet, if so two players plus background music.
2. Maybe 35-50 people might attend.
3. No Minors allowed to the outside event.
4. Yes there will be two security on duty.
5. Security procedures would be to check Identification and make sure parties will be socially distanced 6 feet apart.
6. There will be 4 staff managers on duty
7. We will control the area with barricades surrounding, with one entrance.
8. We have hired competent and strict security to uphold all rules to comply with the City and County Emergency Order.

thank you please let me know if there are any more questions or concerns
thank you
Debbie

On Wed, Feb 24, 2021 at 8:32 AM Sato, Daniel T <dsato@honolulu.gov> wrote:

Ms. VanEmmerik,

I have some questions for your request for temporary increase on March 17, 2021.

1. Type of Entertainment?
2. Projected amount of people attending?
3. Will there be minors or underage in attendance?
4. Will there be security?
5. Security procedures?
6. How many of your staff/managers on duty during event?
7. How will area be controlled?
8. Any details on compliance with State of Hawaii Proclamations and/or City and County of Honolulu Emergency Order.

All the information will be added to the Licensing Investigative report.

Daniel Sato

Supervising Investigator

City and County of Honolulu

Honolulu Liquor Commission, Licensing Section

711 Kapiolani Boulevard Suite 600

Honolulu, HI 96813

Direct: 808-768-7340

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A hand-drawn site plan on lined paper. On the left, a rectangular area is labeled "PARKING" and contains several diagonal lines representing parking spaces. To the right of the parking area is a vertical line. Below the parking area, a horizontal line is labeled "SIDEWALK". At the bottom left corner, there is a small square with the number "16" inside it. The entire drawing is enclosed within a rectangular border.

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